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The reward of
patriotism

WARD OF PATRIOTISM

LUCY SHELTON STEWART

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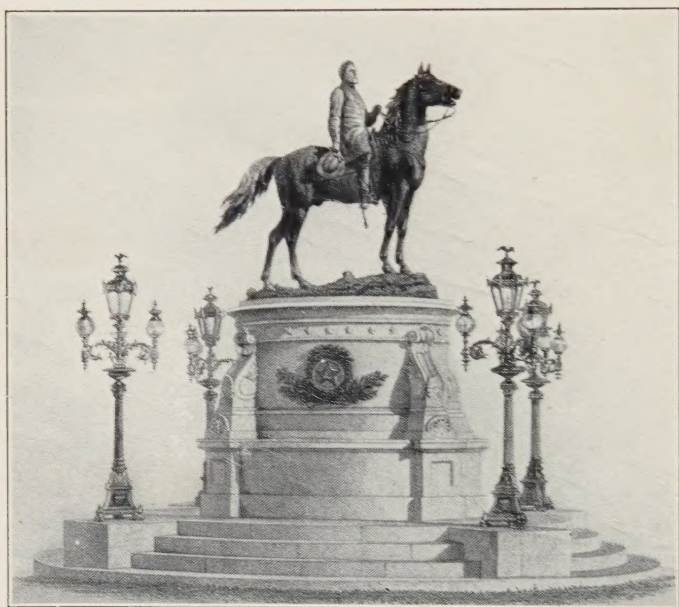
WITHDRAWN

THE REWARD OF PATRIOTISM



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STATUE OF
MAJOR-GENERAL GEORGE H. THOMAS

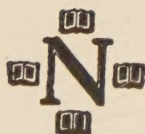
Erected in Washington, D. C., by the Society of the
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Frontispiece

THE REWARD OF PATRIOTISM

*A refutation of the present-day defamations of the defenders
and preservers of the Union in the Civil War and
an exposition of the cause which they overcame*

BY LUCY SHELTON STEWART



WALTER NEALE, PUBLISHER
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TO

my counsellor and guide, my comrade, my father, who was one of those patriots to answer his country's call in 1861; who "fought with Thomas and marched with Sherman from the mountains to the sea"; who has never abandoned the cause for which he fought; who is ever mindful of the fame of those who laid down their lives that this Union might endure—to

SAMUEL FRANKLIN STEWART

a grateful daughter affectionately dedicates this book, as a token of her unbounded love for him, in recognition of his wealth of knowledge concerning the military and the political phases of the Civil War, and in deep appreciation of the zeal with which he has aided in the preparation of this volume.

—L. S. S.

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PROLOGUE

With the close of Calvin Coolidge's administration of the Government of the United States, almost sixty-four years have passed since the Civil War ended in this country. This war was waged by our Government for the purpose of maintaining the Union. The defenders of the Union were victorious; the Union was maintained; and, as a further result of this victory, a race was freed from bondage.

To most Americans, "Liberty and Union" are not indefensible ends for which to fight: many loyal citizens throughout the United States honor the living Union veterans and cherish the memory of those dead.

The antagonists of the Union army were soldiers of the Confederate States of America, a league formed by eleven Southern States, one of whose purposes, whatever else their interest, was to overthrow the Government of the United States.

Throughout the four years of the Civil War, from its inception to the surrender of the various Confederate commanders, the United States Government refused to treat with the Confederates as a separate power¹ and dealt with them only as rebels, and as rebels they surrendered to the supreme authority of the United States of America.

The former Confederates, on the other hand, through their most active proponents, the United Daughters of the Confederacy, urge the use of the term "War Between the States" as the correct name of their rebellion, promulgating the idea that the term "'Civil War' can be properly applied only to wars between contending factions of the same government," and that "the Southern States had legally, constitutionally and peacefully seceded from the other states of the Union before a gun was fired, and their separate and distinct government

¹ *Official Records*, (sometimes abbreviated to O. R.), Vol. 96, pp. 446, 506, 509, 513.

was in operation prior to the breaking out of hostilities, and therefore were not of the same country as their foes.”²

The status, therefore, of the Confederates was either that of rebels or of alien enemies, and only as one or the other could they be recognized by the United States Government; while the status of the Union soldier has unchangingly been that of a defender of his country.

The mutations of time bring strange things to pass: let us see what reward the Union soldier reaps for his successful defense of his country; what recognition is given to the Confederate soldier in his capacity as either rebel or alien enemy.

Almost three score and ten years have passed since the Civil War began, so the survivors of both armies are now counted by hundreds where once they mustered thousands. The mighty host of the Grand Army of the Republic is now so diminished that the majority of its posts are represented by fewer than a corporal's guard, or have been entirely disbanded. These remaining representatives of the Federal army are, by the influence of time, subject to those infirmities which accompany the octogenarian. Do their gray hairs, their feeble step, their trembling hands deserve less from this nation now than they did in 1865? Does the Confederate deserve more than he did in 1865?

Under the Republican administration of President Coolidge some of the laws and resolutions which have been enacted by Congress are as follows:

On March 4, 1925, a joint Resolution was passed authorizing the restoration of the Lee mansion in the Arlington National Cemetery to the condition in which it existed immediately prior to the Civil War, as a tribute to the memory of R. E. Lee, a Confederate commander.

Laws have been enacted whereby the United States Marine Band was sent to the Confederate Veterans' reunions at Little Rock, Arkansas, in 1928, and to Charlotte, North Carolina, in 1929.³

Laws have been enacted whereby the governors of Arkan-

² *Atlanta Journal*, (sometimes abbreviated to A. J.), Oct. 18, 1928.

³ *Public*, Numbers 343 and 701, 70th Congress.

sas and North Carolina are loaned camp equipment to the amount of 38,000 pieces, to be used at the reunions of the Confederate Veterans.⁴

A law was enacted authorizing the Secretary of War to place durable headstones over the graves of all Confederate soldiers, and to preserve in the War Department data concerning said soldiers.⁵

As Vice-President of the United States, Charles G. Dawes accepted from the State of Georgia the statue of Alexander H. Stephens, Vice-President of the Confederate States of America.⁶

A concurrent Resolution was adopted by Congress whereby fifteen members were sent to attend, on April 9, 1928, the unveiling of a partially finished figure of R. E. Lee, on his horse Traveler, carved on Stone Mountain in Georgia.⁷

But, most important of all, without a dissenting vote, Congress passed a law which President Coolidge signed March 17, 1924,⁸ by which were minted millions of coins of our country bearing the likenesses of R. E. Lee and T. J. Jackson in their confederate uniforms, marking them as either rebels or enemy aliens. These coins were issued for the purpose of aiding the carving of the memorial to the Confederacy on Stone Mountain, Georgia; they were also issued in memory of President Warren G. Harding, but no likeness nor reference to him appears thereon.

These laws and resolutions were enacted, these honors and privileges were bestowed, on the Confederates as Confederates, who were, according to their claim, defenders of another country; bestowed while they were yet, as they still are, claiming that their rebellion was a patriotic movement, that the results of the war were indefensible, and that their cause was a righteous one. This is evidenced, they assert, by these official acts of Congress.⁹

Moreover, throughout the course of Congress under the

⁴ *Public*, Numbers 27 and 727, 70th Congress.

⁵ *Public*, Number 810, 70th Congress.

⁶ *Congressional Record*, January 4, 1928, p. 1012.

⁷ *Senate Concurrent Resolution 12*, 70th Congress.

⁸ *Public*, Number 46, 68th Congress.

⁹ *Confederate Veteran*, August, 1928, p. 283.

Coolidge administration constant eulogies of the Confederacy and its leaders appear in the *Congressional Record*. The unveiling of the statue of Alexander H. Stephens was a brilliant opportunity for these adulations. But references to such men as Stephens, Davis, Stuart, and Forrest are sporadic compared with the systematic laudation of Robert E. Lee, which fills pages of the *Congressional Record*.

By way of contrast, let us see how the Union soldier has fared under the Coolidge administration:

Three times within a year Cole L. Blease, Senator from South Carolina, has introduced into the *Congressional Record* statements calumniating the Union defenders and preservers, and especially attacking President Abraham Lincoln and General W. T. Sherman.

On January 25, 1928, Mr. Blease filled ten pages of the *Record*, from which we cite, as illustrative of the tenor of his presentation, the following:

Concerning Lincoln, it is declared that "the main purpose of the emancipation proclamation was to excite an insurrection of the slaves"; and, further: "Undoubtedly the passivity of the slaves greatly surprised him [Lincoln] as it did every one else in the North, who had been taught to believe that the plantations in the South were hells of iniquity." Again: "Lincoln never rebuked Sheridan, Sherman or Grant for their destructive courses."

General Benjamin F. Butler is referred to as being "of odious memory"; and Sherman is again referred to, more specifically, in the following language: "God knows the women and children of South Carolina were uneasy when his [Sherman's] dirty, cowardly assassins set fire to their homes, robbed our women and children, snatched off of their hands and off of their necks the jewelry they had on, and, in some instances, did worse; I will not say what with these ladies in the gallery."

No senator sprang to the defense of the Union soldiers. The calumnies of January 25, 1928, stand unrefuted in the *Congressional Record*.

On May 25, 1928, Mr. Blease was again permitted to fill ten pages of the *Record* with his laudation of the Confed-

eracy, and with words derogatory of the Union, in which Lincoln was the main target of his shafts. From his many allegations concerning Lincoln, we cite the following, as illustrative:

Like the enthusiast, of whom Lincoln said that he "broods over the oppression of a people till he fancies himself commissioned by heaven to liberate them," so Lincoln brooded until he fancied himself commissioned by heaven as a modern Moses raised up to lead the "oppressed" slaves to freedom, and when the war had brought such misery and destruction that it could no longer be justified upon the original object of saving the Union he then attributed to it the added character of a divinely appointed means of punishing the North and the South for "the bondsman's 250 years of unrequited toil."

One of the references to General Sherman is: "Why is it that you have got to go down in the South and steal our property, as you did from 1861 to 1865, and then sent Sherman down and burned Columbia, and had a blaze of fire from Atlanta, Ga., down through south Georgia, through South Carolina and North Carolina and on up, and burned us up?"

Like his earlier defamations, those in the *Record* of May 25, 1928, still stand unrefuted and unchallenged.

On January 8, 1929, becoming more vituperative, Senator Blease introduced into the *Record* an article entitled *Burning Columbia*, every word of which, as we shall later show, was false, in which Union soldiers are defamed—damnably defamed—for pages.

They are falsely and maliciously characterized as "demons black with crime . . . degraded men . . . they dwelt in human flesh, incarnate devils turned . . . they plundered, killed and burned . . . Northmen, who, with burning torch, swept happy homes away."

They are further charged with the crimes of murder, rape, and robbery of every degree. The charges were not against the soldiers only, but included officers of high rank, as witness, "The thieving wretches . . . their pillage now began, assisted by the officers exalted in command"; and, "They plundered on, insatiate fiends, while Sherman looked serenely

on and whispered, 'Boys, well done'"; also, "With soaking balls of turpentine . . . they ushered in . . . the horrors of the night."

No member of the Senate, no member of the House, rose to the defense of the gallant Sherman and his gallant men. The defamations stood broadcasted to the world while Congress hastened to "crook the pregnant hinges of the knee" in honor of the Confederacy and to gratify the wishes of the would-be destroyers of the Nation.¹⁰ Therefore:

Since no voice is raised to defend the honor of the Union soldiers in the halls of Congress; since the silence of Congress gives assent to these vilifications which it publishes; and, since honors are heaped upon those whom Lincoln recognized only as rebels and who demand and receive these honors and privileges for themselves as defenders of a foreign country, namely, the Confederate States of America, we dedicate ourselves to the task of revealing facts concerning the Union and the Confederacy which have been long suppressed by historians and other writers, but which are readily disclosed by their records.

We shall show from the records what the Confederacy really was and what were the causes of the war; we shall compare its soldiery with that of the Union; we shall reveal the true Sherman and the true Lee; and, we shall also discuss more fully the nature and effect of the laws and resolutions of the Congress of the United States in honor of the Confederacy and those who sought to destroy the Union.

When we have completed the presentation of contrasts and comparisons of the Union cause in the Civil War with that of the Confederacy, we shall leave it to the world to judge, not only whether the Republican administration of Calvin Coolidge and the Republican Congress of his administration have given a just Reward to Patriotism, but whether our national integrity can be maintained if the Coolidge policies are continued under future administrations.

¹⁰ Again on May 15, 1930, after this book was in type, Senator Blease put into the *Congressional Record* more than 44 pages of matter misrepresentative and defamatory of General Sherman and his men in connection with the burning of Columbia, S. C. The facts are set forth in Chapter XX of this book.

CHAPTER I

PRESENT-DAY CLAIMS CONCERNING SECESSION AND ITS CAUSES

To those who spend much time in the Southland, it is apparent that many Southern-born people are as loyal to the Union as those born in the North. Indeed, patriotic organizations flourish: such organizations as the Daughters of the American Revolution; the Masonic fraternity, with its allied organizations; and other groups pledge allegiance to the Stars and Stripes as part of their ceremonies.

Many members of these organizations are descendants of those who fought to establish the Confederate States of America; but they are frank in their attitude that it is a good thing that slavery was abolished and that our Union was maintained. In fact, throughout the United States—north, east and west—are found the descendants of Confederates loyally supporting the Union and the principles of liberty for which it stands. When they pledge allegiance to the flag, to “one country indivisible, with liberty and justice for all,” they do so as whole-heartedly as do those whose fathers, of both Northern and Southern birth (and it must not be forgotten that there were many of the latter) who fought for and saved the Union.

But there is an element—strong in the South, and, octopus-like, spreading its tentacles over the Union—which seems to have for its purpose: to fight the Civil War over and over until every knee is bent and every head bowed in acknowledgment that the South was right when it sought to destroy the Union and to establish the Confederate States of America. This element is much in the minority, even in the South; but it is a dominant minority, and, as such, is indefatigable, and, through what is styled “a noisy personality,” agitates and foment to gain its various ends, some of which

are already accomplished, while others are in process of accomplishment.

The leaders of this dominant minority are, many of them, found in the ranks of the United Daughters of the Confederacy. Not all of the members of this organization belong to the "noisy personality" group. Many of them are members with no further motive than to honor the valor of those who offered their lives in a cause which is now recognized as "lost." But, in the main, the United Daughters of the Confederacy are in the clutches of the dominant minority.

The motto of the historical department of this organization is "Loyalty to the Truth of Confederate History." If they lived up to this motto, no one would criticize them; history is history; facts are facts. But under the guise of loyalty to the truth of Confederate history, they distort the truth of the history of those loyal to the Union, to the end that Union leaders, Union generals, and Union soldiers are discredited and defamed.

To any student of Civil War history, one familiar with the truths of history, both Union and Confederate, the existence of well-organized propaganda throughout the United States is evident, propaganda which has a two-fold purpose: the justification of the Confederacy, and the discrediting of the Union. This propaganda creeps in; insidiously, often; and often is lugged in, in season and out, in magazines, in our public schools, and, ridiculous as it may seem, in memorial programs, and in our newspapers. It does not stop there. It enters Congress. It does not stop there: it goes still higher.

This distortion of fact concerning the Union is not confined to members of the United Daughters of the Confederacy. Almost all writers in defense of the Confederate States of America and its leaders, are guilty of misstatements, misrepresentations, and omissions which lead those not informed on "the truth" of history to believe many things which are untrue.

As an example of misrepresentation, taken at random, we cite the following statement of Stovall, in his *Life of Robert*

Toombs:¹ "The border states of Kentucky and Missouri did not formally secede, but indignantly declined to furnish troops in response to Mr. Lincoln's proclamation."

The records show that Missouri manifested her indignation at President Lincoln's first call for troops by sending him 10,591 men, when her quota was 3,123. Kentucky sent no troops under the first call, but in response to the second call, May 3, 1861, she voiced her indignation by sending him 35,095, when her quota was 27,237.²

Again, in *Recollections of General Lee*, his son, Robert E. Lee, quotes, on page 150: "eight thousand men were given up by the capitulation at Appomattox Court House." On page 233 the statement is made that there were "at the time of the surrender only 7,892 men under arms." Nowhere in the book is it stated that there were more who surrendered after throwing away their arms. General Grant, in his *Personal Memoirs*,³ says: "When Lee finally surrendered . . . there were only 28,356 officers and men left to be paroled, and many of these were without arms." He, the victorious general, caused to be issued to the surrendered troops more than 27,000 rations, which is very substantial evidence concerning the "truth of Confederate history."

To the observant reader it is evident that it is the fashion of the day to assume that the whole woe and sorrow of the Civil War fell on the Confederate States. It was their misfortune, it is true, that the war was, with the exception of such sporadic efforts as Lee's forays into Pennsylvania, Morgan's raid into Ohio, and the depredations in Kansas, carried on in slave-holding territory. The border States—Missouri, Kentucky, and Maryland—which never seceded, carried much of the brunt of the war in the earlier days, and later, when the Union troops pressed on, the States confederated by secession acts had the opposing armies on their territory. They suffered as much, or more, as the records amply show, from the acts of their own armies as from those of the Union, but little or nothing of these acts is mentioned in books concern-

¹ P. 233.

² *Phisterer's Statistical Record*, pp. 3-4.

³ Vol. II, p. 500.

ing the Confederacy, although it was one of their vital problems, as we shall show, during the course of the war.

Mrs. Margaret Junkin Preston, sister-in-law of "Stonewall" Jackson, in her war journal⁴ says, under date of May 5, 1863: "The Northern people can't *conceive* the horrors of this war. It is far away from them; their private soldiers are all from the lower classes—persons with whom the masses of Christian and cultivated people feel no tie in common; while the mass of Southern private soldiers are from the educated classes; this makes a woeful difference in the suffering a battle entails; not that these Dutch and Irish and uneducated people have *no* friends to mourn for them—But oh! the sickness of soul with which almost every household in this town awaits the tidings tomorrow may bring!" (Italics in original.)

This is a fine example of that pharisaical attitude which seeks to deny to the Union cause any right to sympathy for hardships endured and sorrows sustained. The records show⁵ that 304,369 gave their lives that this Government might live. These noble dead—dead in the cause of the victorious Union—tell the story of how many Northern homes were desolated by these unreturning thousands. The wounded and the disabled, many of them permanently so, were living witnesses of the heroic sacrifices of the North.

Were the mothers, wives, and daughters of these men less devoted to a cause? Did they feel less deeply the death or mutilation of a loved one? Did they assume the burdens usually carried on by husband, son, or father less cheerfully? Did they sacrifice less completely because the men of their families were fighting for Old Glory? You who read these lines know the answer to these questions.

There are several outstanding features of any present-day defense of the Confederacy. One is the meticulous care that the Civil War shall always be referred to as "The War Between the States." Whether the war between the United States of America and the Confederate States of America is termed "Civil War" or "War Between the States" does not

⁴ Margaret Junkin Preston, p. 163.

⁵ Phisterer's *Statistical Record*, p. 70.

change the facts of history. But this eagerness on the part of Confederate sympathizers is so insistent that it deserves attention.

Many Americans do not understand the import of the use of this term, "War Between the States," when flourished by Confederate sympathizers. Some think that the phrase indicates that the Civil War was merely a contention between two groups of States, known as "the North" and "the South," and that each group was equally entitled to recognition by their common central government. This is a natural assumption, since the former rebels have for years sought pensions from the United States Government, and have demanded and received recognition and favors such as are set forth in our prologue.

But it is a false assumption on the part of the uninitiated. The Children of the Confederacy are taught to use the name "War Between the States" in order to perpetuate the doctrine "that the south had the constitutional right to secede, that she fought for her rights under the constitution, and having the right to withdraw from the union she lawfully organized into a constitutional government"; and, further, that "the government of the Confederate States of America was rightfully, lawfully and peacefully operating when the trumpet of battle was sounded, and when it responded to arms it did so as an independent government in defense from the assault of another government, each in authority over and representing a separate dominion of States."⁶

"The Daughters of the Confederacy," we are told, "are inspired by a noble sentiment" in wishing to change the name "Civil War" to "War Between the States." "They believe that the use of the term 'Civil War' . . . would be a recognition of the North's declaration that it was right in the war and the South was wrong; that the South had no lawfully constituted government, no constitutional right to secede, and that it fought a war of rebellion."⁷

The use of the term "War Between the States" by loyal citizens is, therefore, ill-advised. Such use is seized upon as

⁶ A. J., Oct. 18, 1928.

⁷ *Ibid.*

proof that the Confederates had a legally constituted government. The chairman of the "War Between the States" committee of the Georgia United Daughters of the Confederacy announced, November 4, 1928 (A.J.), that "the Congress of the United States has recognized this title as right and proper. This information appears in the *Congressional Record* of March 2, 1928." The term is used several times in the report of the Committee on the Judiciary, in the matter of reimbursing the State of Nevada for moneys advanced during the Civil War.

There is an interesting angle to the situation, if the claim of the present-day advocates of the Confederacy that it was a separate government, "representing a separate dominion of States," is admitted. None but a natural-born citizen of the United States can become president of this nation. If the Confederacy is now admitted to have been a legally functioning separate government, then several possible candidates for the presidency are automatically excluded, chief of whom is William G. McAdoo, former Secretary of the Treasury, who was born in the Southern Confederacy at Marietta, Georgia, on October 31, 1863.

It behooves the loyal to remember, however, that the name "War Between the States," the use of which is urged by the national, state, and local organizations of the United Daughters of the Confederacy, is as much a flaunting of the rebellion of the Confederates as is their uniform and flag. The term is synonymous with national destruction.

Another outstanding feature of present-day presentations of the "Lost Cause" is: from present-day literature it would really be difficult, if historical data were not accessible, to learn just what was the true underlying cause of secession and of the formation of the Confederate States of America. One of the most insistent points raised is that the Confederate States did not secede because of slavery. In the *Confederate Veteran* for May, 1924, we find one of the topics for discussion in the United Daughters of the Confederacy is, "Slavery the fundamental cause of sectional strife—a popular fallacy since 1861"; in the *Confederate Veteran* of January,

1924, in a criticism of Drinkwater's *Robert E. Lee*, is the statement: "The excellence of the play as a play—its emotional appeal—covers such stabs as the wretched lines which make Lee mouth the absurd canard about the war being fought on account of slavery."

The *Confederate Veteran* is the official organ of the United Confederate Veterans; United Daughters of the Confederacy; Sons of Confederate Veterans; and the Confederate Southern Memorial Association.

While many present-day writers and speakers are positive that it was not slavery for which the Confederacy fought, they are often vague in their statements, at least, concerning that for which the Confederacy did fight.

One historian of the United Daughters of the Confederacy, in a letter published in the *Atlanta Journal*,⁸ says: "They fought for a principle." In spite of this chaste declaration, the "principle" is not named.

In a speech made in commemoration of Lee, on January 21, 1926,⁹ Judge W. Frank Jenkins said: "It was not slavery, nor was it primarily any situation growing out of that institution. It was something deeper, vaster, of more importance. It was the inherent principle of right and justice, that was the guiding light of the Confederacy."

Such glittering generalities do not aid the inquiring mind in its search for the "truth" concerning Confederate history, but now and then we gain some light: at the meeting of the United Daughters of the Confederacy, at Hot Springs, Arkansas, in November, 1925, Mrs. Walter Lamar, a leading member of the organization, was much applauded, according to the Southern newspapers,¹⁰ when she asserted that the South fought in defense of the right of the States to govern themselves, and not in defense of slavery.

We find it even more lucidly stated in a resolution adopted by the Grand Camp of Virginia Confederate Veterans on July 17, 1925:¹¹

⁸ Jan. 25, 1924.

⁹ *Atlanta Journal*.

¹⁰ A. J., Nov. 18, 1925.

¹¹ *Confederate Veteran*, August, 1925, p. 317.

We declare that the true cause of secession was not the defense or promotion of the economic prosperity of the South, neither the continuation of a system of servitude, which the South was fast outgrowing, but the exercise of an unsundered and oft-asserted right of a State to peaceably withdraw from a Union that had become 'injurious and oppressive' to her interests.

The nature of the "injurious and oppressive" acts is not stated in the resolutions.

We can go back still farther and find positive statements by Jefferson Davis as to the cause of the rebellion. In his *Rise and Fall of the Confederate Government*,¹² he says:

With regard to slavery and the slave-trade, the provisions of this Constitution furnish an effectual answer to the assertion, so often made, that the Confederacy was founded on slavery, that slavery was its "corner-stone," etc. Property in slaves, *already existing*, was recognized and guaranteed, just as it was by the Constitution of the United States; and the rights of such property in the common Territories were protected against any such hostile discrimination as had been attempted in the Union. But the "extension of slavery", in the only practical sense of that phrase, was more distinctly and effectually precluded by the Confederate than by the Federal Constitution. This will be manifest on a comparison of the provisions of the two relative to the slave trade. These are found in the beginning of the ninth section of the first article of each instrument. The Constitution of the United States has the following: [*Italics in original.*]

The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importations, not exceeding ten dollars for each person.

The Confederate Constitution, on the other hand, ordained as follows:

¹² Vol. I, p. 261.

"1. The importation of negroes of the African race from any foreign country, other than the slaveholding States or Territories of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have the power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to, this Confederacy."

In the same volume Jefferson Davis also says:¹³

The attentive reader of the preceding chapters . . . will already have found evidence enough to enable him to discern the falsehood of these representations, and to perceive that, to whatever extent the question of slavery may have served as an *occasion*, it was far from being the *cause* of the conflict. [Italics in original.]

We ask "the attentive reader" to whom Mr. Davis refers to keep in mind these statements of the President of the Confederacy, for we purpose later to show just how fair or false are his statements. We have cited him and the others to show how wide-spread are the doctrines, prevalent since the war, that the Confederacy was founded on the principles of the right to secede, the right of a State to govern itself, and that slavery was in no way the source of "the injury and oppression" which bound the slave-holding States together in a determination to establish a new government in this Republic, under a new flag.

Simultaneously with the perpetual teaching of these two doctrines is carried on other systematic propaganda, already referred to on a previous page: that is, misrepresentation and defamation of the defenders of the Union. Foremost of those most bitterly attacked, of course, is the Great Emancipator, the noble martyr, Abraham Lincoln.

We learn from the Southern press that Governor M. A. Ferguson of Texas was assailed by several chapters of the United Daughters of the Confederacy in her State because

¹³ P. 78.

she issued a proclamation asking that Lincoln's birthday be celebrated.¹⁴ The United Daughters of the Confederacy tried, also, to suppress the motion picture *Abraham Lincoln*. The picture was not sectional and was not derogatory to the Confederacy, but they objected to it because it bore the name Abraham Lincoln.¹⁵

These are but mild outbreaks compared with the absurd, malicious articles which appear in the *Confederate Veteran*, the official organ, as we have stated, of the four organizations devoted to recognition of the Confederacy. That we do not here disprove the multitude of misstatements in that and other publications is for a two-fold reason: first, to controvert each separate misrepresentation would take volumes, and such detailed correction lies outside the scope of this book; second, every act and word, written or spoken, by Abraham Lincoln, bears the closest scrutiny and reveals a man whose ideals and accomplishments were such that they made it possible for us today to pledge allegiance to the flag of the United States and to the Republic for which it stands, "one nation indivisible, with liberty and justice for all." He needs no advocate where liberty and justice are prized. The constant revilings of a dominant minority in the Southland have neither dimmed nor tarnished the fame of this "new birth of our new soil, the first American."¹⁶

Those interested in defaming the Union leaders and soldiers, next to Lincoln, vent their bitterness on Generals Sherman, Sheridan, Butler, and Hunter, in particular, and on the Union soldiery in general. Statements of wanton devasta-

¹⁴ A. J., Feb. 16, 1926.

¹⁵ A. J., Dec. 12, 1924.

¹⁶ That the defamation of Lincoln is being carried on vigorously and virulently is a fact, however, which should not be disregarded by the general public. As late as December, 1927, the *Confederate Veteran* reprints an article from the *Asheville* (N. C.) *Citizen*, which contains the following statement:

[Italics in original.] *Abraham Lincoln never freed a single slave on this continent.* He did not even attempt to free his own slaves, which were his by right of marriage to a Kentucky slave owner. His emancipation proclamation, now admitted generally to have been without force of law, and acknowledged by Lincoln himself to have been merely a military expedient issued with a view to inciting the slaves to rise up and murder their mistresses and their children, had no force in territory which was then in "rebellion."

tion and cruelty are made by Confederate historians, and amplified and exaggerated by each succeeding teller of the tales, until the result is so garbled a mass of misrepresentation that even the shred of truth is lost.

Misrepresentation takes another curious form: at the beginning of the war vast numbers were reported to have taken arms in defense of the seceded States, whatever the principle involved; but, gradually, the Confederate sympathizers have diminished the number of men under arms for their side and have swelled the number of Union troops engaged.

Perhaps their best recent comparison occurs in the *Confederate Veteran*,¹⁷ as follows: "Quoting from official authority, we learn that the Confederacy had in all a little less than six hundred thousand men—without arms, without machine shops, without transportation, without ships, and but scantily supplied with food and clothing—yet it took two million eight hundred thousand men (5 to 1), perfectly equipped, four long years to wear the Confederates out."

This is a most interesting picture! Nearly three million men under arms for four long years, perfectly equipped!

The estimate of the number of Confederate troops varies greatly. Woodrow Wilson credited them with 900,000, and from that number they have diminished by the erosion of time, of course, to under six hundred thousand, as stated above. Confederate estimates always exclude the Negroes conscripted for Confederate service, but the Union figures include the Negro troops. Further discussion of comparative man-power will follow latter. It is sufficient now to quote from the *Statistical Record*¹⁸ as to the number of Union troops. We have already quoted the *Confederate Veteran* that the number was continuously for four years nearly three million men. The *Record* shows that the grand total, absent and present, just before Lee's surrender, March 31, 1865, was 980,086. The Union force did not reach a million under arms at one time until the war was over, May 1, 1865. It was then 1,000,516.

¹⁷ July, 1925, p. 259.

¹⁸ P. 62.

As to their perfection of equipment: the Confederate standards must have been considerably lower than the Union standards, if perfection had been obtained in their estimation.

A still later false comparison occurs in the *Atlanta Constitution* of September 4, 1927, in a compilation of Confederate statistics by "the late Colonel G. N. Sausey, of Hawkinsville." We cite it because Colonel Sausey makes use of the same misrepresentation to which we have referred earlier in the chapter, wherein Robert E. Lee, Jr., says that "eight thousand men were given up by the capitulation at Appomattox Court House," and that there were "at the time of the surrender only 7,892 men under arms."

Colonel Sausey says: ". . . and when finally overwhelmed the army of Northern Virginia, April 9, 1865, had in line as a remnant of that once matchless army, 7,892 muskets, as opposed to General Grant's, as stated by him to General Lee at Appomattox, of all arms, numbered 220,000."

This statement, of course, presents a touching picture: 7,892 men opposing 220,000. But, let us see what the records show concerning the number of troops under Generals Grant and Lee during the closing days of the war.

The latest returns from Lee's army are dated Feb. 20, 1865.¹⁹ They show the strength of the Army of Northern Virginia, including the Department of Richmond, as follows:

Aggregate present and absent.....	169,867;
Present for duty.....	78,524.

Of these 78,524 present on February 20, 1865, 50,293 were lost in battle, or deserted during the campaign immediately preceding the surrender at Appomattox, since the *Official Records* show ²⁰ the number of men paroled at Appomattox to have been 28,231.

General Lee, in his report to Davis on April 12, 1865, referring to the activities of his army for the few days previous to the surrender, says: "But the men being depressed

¹⁹ O. R., Vol. 129, p. 1182.

²⁰ O. R., Vol. 95, p. 1279.

by fatigue and hunger, *many threw away their arms.*" ²¹ (The italics are ours.)

If more men had thrown away their arms, the number of muskets left in line would have been reduced still more, to a thousand, to a hundred; but the number of muskets in line, or thrown away, had no connection with the number of *men* who surrendered, and the record is concise on that point, the number being 28,231.

The effective strength of the army under General Grant is shown to have been on March 31, 1865: ²²

Army of the Potomac.....	79,751;
Army of the James.....	34,584;
Sheridan's Cavalry, 3 divisions ²³	9,000;

Total.. 123,335.

These two armies comprised 74 brigades, of which 12 brigades were not engaged in the closing campaign. Very few more than 100,000 of Grant's men were engaged in that campaign, and his casualties were: 1,316 killed; 7,750 wounded; and 1,714 missing. Lee lost his entire 78,524, which included the 28,231 surrendered at Appomattox.

These 28,231 prisoners surrendered and paroled at Appomattox represent 250 different regiments and battalions and 73 different batteries from all the 11 Confederate States and Maryland. As each regiment had at organization approximately 1,000 men, and must have received during the four years not less than an average of 500 recruits to each regiment, they represented an army which had consisted of 380,000 different men that General Lee had under his control. But the larger number of these were, at the time of the surrender, a.w.o.l., or, in plain English, just deserters.

So, the *Official Records* make it clear that Lee surrendered 28,231 of his original 78,524 men to Grant, who had, at the utmost, including the 12 brigades not engaged in the cam-

²¹ *Ibid.*, p. 1266.

²² *Ibid.*, p. 62.

²³ *Ibid.*, p. 1101.

paign, 112,555. Why should facts be distorted to make it appear that Lee had 7,892 men to Grant's 220,000?

In the light of constant misrepresentations, of which the foregoing are typical, which mislead the loyal, no matter whether their sires fought under the Union flag or the Confederate, and which display no touch of Southern chivalry toward a generous foe, let us search the Confederate records to learn what was the basic cause of the attempt to found a new nation in this land, a cause which seems to need the defamation and misrepresentation of its enemy to justify it. What inherent principle of right justified it? Who and what were its leaders? Why should our Government recognize their valor by issuing a coin in their honor? Why should these coins bear the figures of Confederates wearing the uniform of enemies of our country, and who were, according to their adulators, citizens of another country? Why should our Government issue this coin for the purpose of financing a monument in honor of the Confederacy?

Let us search their records for the facts and let the truth speak of their valor, their chivalry, and their patriotism, which is thus rewarded.

CHAPTER II

ON THE RIGHT TO SECEDE—WASHINGTON AND LINCOLN

The bronze tablet of a Baltimore chapter of the United Daughters of the Confederacy, which is to be placed in the Memorial Hall of Stone Mountain, is to bear this inscription: "In perpetual and grateful memory of the soldiers and sailors from Maryland who in the War between the States, 1861-65, in the service of the Southern Confederacy, fought in defense of the fundamental American principle that local autonomy is an essential safeguard of liberty, this tablet is dedicated."¹

In some Northern school histories the statement is made that the Constitution of the Confederate States "upheld the right of State Sovereignty."²

These statements, with those already cited (ignoring as they do the Articles of Confederation which state "that the Union shall be perpetual" (Article XIII) and the Constitution, which was established to make the perpetual Union "more perfect"), are amply illustrative of the doctrine now generally promulgated that it was solely and simply for the principle of State rights that the South endeavored to set up a new Government on American soil, and that slavery was in no way connected with the "injury and oppression" which caused its attempts to secede.

Although it is now asserted that time is but proving that the Confederate States were right in the principle for which they fought—the principle apparently being the right to govern themselves—we do not intend to fight at length the battle of State Rights in the sole meaning that it had in the Confederate States—the right to secede. But there are two great Americans whose statements are authoritative, Washington and Lincoln.

¹ A. J., Jan. 18, 1925.

² *A History of the United States*, by Thwaites & Kendall, p. 337.

Washington, in his Farewell Address, that masterpiece which, with prophetic voice, warns of the dangers which may befall our Republic, gives manifold reasons for the perpetuity of the Union. The greater part of the Address concerns the maintenance of the Union. He refers to his "unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution which is the work of your hands may be sacredly maintained . . ." and takes up the argument further thus:

The *unity* of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence; the support of your tranquillity; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of *internal* and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your *national union* to your collective and individual happiness; that you should cherish a cordial, *habitual*, and *im-movable* attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations.

We find the idea of perpetual union woven into many of

his arguments, as when he opposes overgrown military establishments as "particularly hostile to republican liberty," he adds, "In this sense it is that your union ought to be considered as the main prop of your liberty, and that the love of one ought to endear to you the preservation of the other."

Again: "To the efficacy and permanency of your union a *government for the whole is indispensable.*" Speaking of this Government of the whole, he says: "Toward the preservation of your government and the permanency of your present happy state it is requisite not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext." (The italics in these citations are ours.)

Thus does the Father of Our Country expound the need of perpetual union and oppose even the suggestion of secession, and warn all patriotic Americans to resist even the thought of disunion.

Let us now turn to that other great American, the only one who is acknowledged the peer of Washington, the one who, when he took the oath as President "to preserve, protect and defend the Constitution of the United States," kept his oath and maintained the Union: let us hear Abraham Lincoln on the constitutional rights of States to secede.

In his message to Congress, July 4, 1861, speaking of the assault on Fort Sumter, he says:³

It is thus seen that the assault upon and reduction of Fort Sumter was in no sense a matter of self-defense on the part of the assailants. They well knew that the garrison in the fort could by no possibility commit aggression upon them. They knew—they were expressly notified—that the giving of bread to the few brave and hungry men of the garrison was all which would on that occasion be attempted unless themselves, by resisting so much, should provoke more. They knew that this government desired to keep the garrison in the fort, not to assail them, but merely to maintain a visible possession, and thus to preserve the Union from actual and immediate dissolution, trusting, as hereinbefore stated, to time, discussion, and the ballot-

³ *Official Records*, Vol. 122, p. 311 *et seq.*

box for final readjustment; and they assailed and reduced the fort for precisely the reverse object—to drive out the visible authority of the Federal Union and thus force it to immediate dissolution. That this was their object the Executive well understood, and, having said to them in the inaugural address, “You can have no conflict without yourselves being the aggressors,” he took pains not only to keep the case so free from the power of ingenious sophistry as that the world should not be able to misunderstand it. By the affair at Fort Sumter, with its surrounding circumstances, that point was reached. Then and thereby the assailants of the Government began the conflict of arms, without a gun in sight or in expectancy to return their fire, save only a few in the fort sent to the harbor years before for their own protection and still ready to give that protection in whatsoever was lawful. In this act, discarding all else, they have forced upon the country the distinct issue, “Immediate dissolution or blood.” . . .

It might seem at first thought to be of little difference whether the present movement at the South be called “secession” or “rebellion.” The movers, however, well understand the difference. At the beginning they knew they could never raise their treason to any respectable magnitude by any name which implies violation of law. They knew their people possessed as much moral sense, as much of devotion to law and order, and as much pride in and reverence for the history and Government of their common country as any other civilized and patriotic people. They knew they could make no advancement directly in the teeth of these strong and noble sentiments. Accordingly they commenced by an insidious debauching of the public mind. They invented an ingenious sophism, which, if conceded, was followed by perfectly logical steps through all the incidents to the complete destruction of the Union. The sophism itself is, that any State of the Union may, consistently with the National Constitution, and therefore lawfully and peacefully, withdraw from the Union without the consent of the Union or of any other State. The little disguise that the supposed right is to be exercised only for a just cause, themselves to be the sole judge of its justice, is too thin to merit any notice.

With rebellion thus sugar coated, they have been drugging the public mind of their section for more than thirty years, and until at length they have brought many good men to a willingness to

take up arms against the Government the day after some assemblage of men have enacted the farcical pretense of taking their State out of the Union, who could have been brought to no such thing the day before.

This sophism derives much, perhaps the whole, of its currency from the assumption that there is some omnipotent and sacred supremacy pertaining to the State—to each State of our Federal Union. Our States have neither more nor less power than that reserved to them in the Union by the Constitution—no one of them ever having been a State out of the Union. The original ones passed into the Union even before they cast off their British colonial dependence, and the new ones each came into the Union directly from a condition of dependence, excepting Texas; and even Texas in its temporary independence was never designated a State. The new ones only took the designation of States on coming into the Union, while that name was first adopted for the old ones in and by the Declaration of Independence. Therein the “United Colonies” were declared to be “free and independent States”; but even then the object plainly was not to declare their independence of one another or of the Union, but directly the contrary, as their mutual pledge and their mutual action before, at the time, and afterward, abundantly show. The express plighting of faith by each and all of the original thirteen in the Articles of Confederation, two years later, that the Union shall be perpetual is most conclusive. Having never been States, either in substance or in name, outside of the Union, whence this magical omnipotence of “State rights,” asserting a claim of power to lawfully destroy the Union itself? Much is said about the “sovereignty” of the States, but the word even is not in the national Constitution, nor, as is believed, in any of the State constitutions. What is a “sovereignty” in the political sense of the term? Would it be far wrong to define it “a political community without a political superior?” Tested by this, no one of our States except Texas, ever was a sovereignty; and even Texas gave up the character on coming into the Union, by which act she acknowledged the Constitution and the laws and treaties of the United States made in pursuance of the Constitution to be for her the supreme law of the land. The States have their status in the Union, and they can have no other legal status. If they break from this they can only do so against law and by revolution. The Union, and not themselves separately

procured their independence and their liberty. By conquest or purchase the Union gave each of them whatever of independence and liberty it has. The Union is older than any of the States, and in fact it created them as States. Originally some independent colonies made the Union, and in turn the Union threw off their old dependence for them and made them States, such as they are. Not one of them ever had a State constitution independent of the Union. Of course it is not to be forgotten that all the new States framed their constitutions before they entered the Union, nevertheless dependent upon and preparatory to coming into the Union.

Unquestionably the States have powers and rights reserved to them in and by the national Constitution; but among these, surely, are not included all conceivable powers, however mischievous or destructive; but at most, such only as were known in the world, at the time, as governmental powers; and certainly the power to destroy the Government itself had never been known as governmental—as a merely administrative power. This relative matter of national power and State rights, as a principle, is no other than the principle of generality and locality. Whatever concerns the whole should be confided to the whole—to the General Government; while whatever concerns only the State should be left exclusively to the State. This is all there is of original principle about it. Whether the National Constitution, in defining boundaries between the two, has applied the principle with exact accuracy is not to be questioned. We are all bound by that defining, without question.

What is now combatted is the position that secession is consistent with the Constitution—is lawful and peaceful. It is not contended that there is any express law for it; and nothing should ever be implied as law which leads to unjust or absurd consequences. The nation purchased, with money, the countries out of which several of these States were formed. Is it just that they shall go off without leave and without refunding? The nation paid very large sums (in the aggregate, I believe, nearly a hundred millions) to relieve Florida of the aboriginal tribes. Is it just that she shall now be off without consent or without making any return? The nation is now in debt for money applied to the benefit of these so-called seceding States, in common with the rest. Is it just either that creditors shall go unpaid, or the remaining States pay the whole? A part of the present national debt was contracted to pay the old debts of Texas. Is it

just that she shall leave and pay no part of this herself? Again, if one State may secede, so may another; and when all shall have seceded none is left to pay the debts. Is this quite just to creditors? Did we notify them of this sage view of ours when we borrowed their money? If we now recognize this doctrine by allowing the seceders to go in peace, it is difficult to see what we can do if others choose to go, or to extort terms upon which they will promise to remain.

The seceders insist that our Constitution admits of secession. They have assumed to make a national constitution of their own, in which, of necessity, they have either discarded or retained the right of secession, as, they insist, it exists in ours. If they have discarded it, they thereby admit that on principle it ought not to be in ours. If they have retained it by their own construction of ours, they show that to be consistent they must secede from one another whenever they shall find it the easiest way of settling their debts or effecting any other selfish or unjust object. The principle itself is one of disintegration and upon which no Government can possibly endure.

If all the States save one should assert the power to drive that one out of the Union, it is presumed the whole class of seceder politicians would at once deny the power and denounce the act as the greatest outrage upon State rights. But suppose that precisely the same act, instead of being called "driving the one out," should be called "the seceding of the others from that one," it would be exactly what the seceders claim to do; unless, indeed, they make the point that the one, because it is in a minority, may rightfully do what the others, because they are a majority, may not rightfully do. These politicians are subtle and profound on the rights of minorities. They are not partial to that power which made the Constitution, and speaks from the preamble calling itself "We, the people."

We have quoted the moral and legal principles upon which our Union is founded, as enunciated by these two greatest Americans, so that our readers may again be reminded of the specious and insidious arguments which have been and are now promulgated as just and lawful.

The doctrine of State Rights, whether they call it the right to secede or gloss it over by calling it a "fundamental principle of local autonomy," is just as destructive, in practice, to

our national life as Bolshevism or any other force which seeks to overthrow our Government. The theory of State Rights makes us no stronger than our weakest State—any or every State, with or without excuse, could destroy that Union in which lies our strength; and, therefore, as Washington has warned us, we who are patriotic should watch for the “preservation of our Union with jealous anxiety, discountenancing whatever may suggest even a suspicion that it can, in *any* event, be abandoned; and indignantly frown upon the first dawning of every attempt to alienate any portion of our country from the rest.” Our country demands this loyalty from us. As we would resist the external foes who seek our destruction, so must we oppose this internal destructive doctrine of State Rights, meaning the right to secede—the only sense in which the Confederates use it: we should, however, be just as jealous of those rights guaranteed to the States and the individuals under the Constitution. It is as much our duty to maintain them as those of the General Government, for they are, indeed, part of our Constitution, too.

Therefore, with the foregoing reminders from the two men who were the most conspicuous in the establishment and maintenance of the Union as to the meaning and effect of the doctrine of State Rights, let us now hear from the Confederate authorities as to the basic cause of secession, what they cite as “injurious and oppressive” acts, and whether, as is now asserted, slavery was not an issue.

Let us, in this search, keep in mind the fact that our Government has issued a coin in honor of those who, their present-day advocates assert, as we have seen, fought for the principle of State Rights and National destruction. In presenting the first of these coins to President Calvin Coolidge, who signed the Bill authorizing the issue, Mr. Hollins Randolph, President of the Stone Mountain Confederate Monumental Association, wrote, “We are proud that our fathers, who strove for a principle, should now receive at the hands of the nation, by your gracious approval, this beautiful tribute of admiration.”⁴

⁴ A. J., May 30, 1925.

CHAPTER III

CONFEDERATE LEADERS ON THE CAUSES OF SECESSION

In our research concerning the "cause that rose so white and fell so pure of stain," we found a multitude of utterances wherein rights and wrongs and liberty were discussed in glittering generality, but without specific detail, by the proponents of the Confederacy both before and during the Civil War. There were some, however, who spoke definitely and with authority as to the wrongs the secessionists desired to have righted, and the rights they wished to maintain. We will call the most prominent ones to the witness-stand and let their testimony develop the basic principle underlying "the stainless cause."

The records of the Confederacy show that the seceding States acknowledged one bond in common, one mutual interest, on account of which they used one descriptive term for themselves, whether they spoke in generalities or in detail, and the term, universally used, was "the slave-holding States." With this fact in mind, the first witness we will call is Jefferson Davis, head of the States confederated together in an endeavor to establish a new government and to destroy the Union.

We have already shown that *after* the war, in writing his historical accounts of the Confederacy, he denied categorically that it was founded on slavery, or that slavery was the underlying cause of its formation.

In his speeches, before the Confederacy became a working organization, he is discreetly silent on this issue; but on April 29, 1861, after the Virginia Convention had voted to secede, in his message to the Confederate Congress, he first discusses at some length the right and justice of slavery and the wrongs done to the slave-holding States in connection with that institution, and then argues, in part, thus:

Emboldened by success, the theater of agitation and aggression against the clearly expressed constitutional rights of the Southern States was transferred to the Congress; Senators and Representatives were sent to the common councils of the Nation, whose chief title to this distinction consisted in the display of a spirit of ultra fanaticism, and whose business was not "to promote the general welfare or insure domestic tranquillity," but to awaken the bitterest hatred against the citizens of sister States by violent denunciation of their institutions; the transaction of public affairs was impeded by repeated efforts to usurp powers not delegated by the Constitution, for the purpose of impairing the security of property in slaves, and reducing those States which held slaves to a condition of inferiority. Finally a great party was organized [the Republican Party] for the purpose of obtaining the administration of the Government, with the avowed object of using its power for the total exclusion of the slave States from all participation in the benefits of the public domain acquired by all the states in common, whether by conquest or purchase; of surrounding them entirely by States in which slavery should be prohibited; of thus rendering the property in slaves so insecure as to be comparatively worthless, and thereby annihilating in effect property worth thousands of millions of dollars. This party, thus organized, succeeded in the month of November last in the election of its candidate for the Presidency of the United States.

In the meantime, under the mild and genial climate of the Southern States and the increasing care and attention for the well-being and comfort of the laboring class, dictated alike by interest and humanity, the African slaves had augmented in number from about 600,000, at the date of the adoption of the constitutional compact, to upward of 4,000,000. In moral and social condition they had been elevated from brutal savages into docile, intelligent, and civilized agricultural laborers, and supplied not only with bodily comforts but with careful religious instruction. Under the supervision of a superior race their labor had been so directed as not only to allow a gradual and marked amelioration of their own condition, but to convert hundreds of thousands of square miles of the wilderness into cultivated lands covered with a prosperous people; towns and cities had sprung into existence, and had rapidly increased in wealth and population under the social system of the South; the white population

of the Southern slave-holding States had augmented from about 1,250,000 at the date of the adoption of the Constitution to more than 8,500,000 in 1860; and the productions of the South in cotton, rice, sugar, and tobacco, for the full development and continuance of which the labor of African slaves was and is indispensable, had swollen to an amount which formed nearly three-fourths of the exports of the whole United States and had become absolutely necessary to the wants of civilized man. With interests of such overwhelming magnitude imperiled, the people of the Southern States were driven by the conduct of the North to the adoption of some course of action to avert the danger with which they were openly menaced.¹

In these few succinct lines, Jefferson Davis bears witness that slavery, its perpetuity, and its extension, constituted the underlying principle of secession and formed the main prop of the Confederacy.

These lines are also an acknowledgment that to the unrequited labor of the black man the South owes her vast fertile fields, her products and her wealth, and that every boast of the glory and the grandeur that were the South's under her peculiar institution is an acknowledgment of debt to the Negro, whose black hands worked ceaselessly and whose black backs bore the burdens, in order to produce that grandeur and that glory.

The next witness we will call, in order to determine the actuating principle of the Confederacy, is Alexander H. Stephens, Vice-President of the Confederacy. He is speaking of the Constitution of the Confederacy, and bears witness as follows:

The new Constitution has put at rest forever all the agitating questions relating to our peculiar institutions—African slavery as it exists among us—the proper status of the negro in our form of civilization. *This was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this as the "rock upon which the old union would split."* He was right. What was conjecture with him, is now a realized fact. But whether he fully comprehended the great

¹ O. R., Vol. 127, p. 259.

truth upon which that rock stood and stands, may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution, were that the enslavement of the African was in violation of the laws of nature; that it was wrong in principle, socially, morally and politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was, that somehow or other, in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at the time. The Constitution, it is true, secured every essential guarantee to the institution while it should last, and hence no argument can be justly used against the constitutional guarantees thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the idea of a government built upon it; when the "storm came and the winds blew, it fell." [*Italics in original.*]

Our new Government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests upon the great truth that the negro is not equal to the white man. That slavery—subordination to the superior race, is his natural and normal condition. This, our new Government, is the first, in the history of the world, based upon this great physical and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. . . .

Now they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests. It is the first government ever instituted upon principles of strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of certain classes; but the classes thus enslaved, were of the same race, and in violation of the laws of nature. Our system commits no such violation of nature's laws. The negro, by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system.

The architect, in the construction of buildings, lays the foundation with the proper materials, the granite; then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is best, not only for the superior, but for the inferior race that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of His ordinances, or to question them. For His own purposes He has made one race to differ from another, as He has made "one star to differ from another star in glory."

The great objects of humanity are best attained when conformed to His laws and decrees, in the formation of governments, as well as in all things else. Our Confederacy is founded upon principles in strict conformity with these laws. This stone which was first rejected by the first builders "is become the chief stone of the corner" in our new edifice.²

Like Davis, Stephens, in thus expounding the Confederate Constitution, shows that slavery is the basic principle of the Confederacy, and not local autonomy. He, as well as Davis, discloses the fact that gradual emancipation had no place in the general scheme of the Confederacy. To take away slavery was to remove the cornerstone upon which the Confederacy rested. We wish, however, that Stephens, while exhibiting so great familiarity with the laws of Nature and of God, had given us some clue as to where these laws, which he enunciates so authoritatively, might be found.

We will now call as a witness Robert Toombs, first Secretary of the Interior of the Confederate States. His expression of the attitude of the South was made in Congress on January 7, 1861. Blaine is reported to have said of him that he was the only Congressman from the seceding States who specified grievances and named the conditions upon which they would stay in the Union. He spoke as follows:

Senators, my countrymen have demanded no new government. They have demanded no new Constitution. The discontented

² *American Politics*, Book I, p. 118. This speech of Alex. H. Stephens was not cited in any articles or speeches accompanying the unveiling of his statue in the Capitol at Washington on December 8, 1927, as far as we could learn.

States have demanded nothing but clear, distinct, constitutional rights, rights older than the Constitution. What do these rebels demand? First, that the people of the United States shall have an equal right to emigrate and settle in the Territories with whatever property (including slaves) they may possess. Second, that property in slaves shall be entitled to the same protection from the government as any other property (leaving the State the right to prohibit, protect, or abolish slavery within its limits). Third, that persons committing crimes against slave property in one State and flying to another shall be given up. Fourth, that fugitive slaves shall be surrendered. Fifth, that Congress shall pass laws for the punishment of all persons who shall aid and abet invasion and insurrection in any State.³

These five propositions, as enunciated by Toombs in Congress, are concerned solely with slavery; they demand the extension of slavery as a condition of remaining in the Union, and they do not contemplate gradual abolition as part of the future of the South.

These three men, Davis, Stephens, and Toombs, speak for the Confederacy as a whole, and they bear witness that the only cause of secession lay in the issues of slavery.

Let us see if any of the seceding States, in their documents, give testimony concerning the basic cause of dissatisfaction with the Union.

³ Stovall's *Life of Toombs*, pp. 205-6.

CHAPTER IV

WHAT THE STATES SHOW TO BE THE CAUSES OF SECESSION

In considering the causes which led the States to secede, it is proper to call to the witness-stand, first, South Carolina, as it was the first State to pass a secession ordinance, and its reasons may be considered basic and potent in influencing the other States which seceded.

The South Carolina Convention issued what is entitled a "Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union." The declaration says, in part:

The General Government, as the Common Agent, passed laws to carry into effect these stipulations of the States. For many years these laws were executed. But an increasing hostility on the part of the non-slave-holding States to the Institution of Slavery has led to a disregard of their obligations, and the laws of the General Government have ceased to effect the objects of the Constitution. The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Michigan, Wisconsin and Iowa, have enacted laws which either nullify the Acts of Congress or render useless any attempt to execute them. In many of these States the fugitive is discharged from the service or labor claimed, and in none of them has the State Government complied with the stipulation made in the Constitution. The State of New Jersey, at an early day, passed a law in conformity with her Constitutional obligation; but the current of Anti-Slavery feeling has led her more recently to enact laws which render inoperative the remedies provided by her own law and by the laws of Congress. In the State of New York even the right of transit for a slave has been denied by her tribunals; and the States of Ohio and Iowa have refused to surrender to justice fugitives charged with murder and with inciting servile insurrection in the State of Virginia. Thus the Constitutional Compact

has been deliberately broken and disregarded by these non-slaveholding States, and the consequence follows that South Carolina is released from her obligation.

The ends for which this Constitution was framed, are declared by itself to be "to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These ends it endeavored to accomplish by a Federal Government, in which each State was recognized as an equal, and had separate control over its own Institutions. The right of property in slaves was recognized by giving to free persons distinct political rights, by giving them the right to represent, and burthening them with direct taxes for three-fifths of their slaves; by authorizing the importation of slaves for twenty years; and by stipulating for the rendition of fugitives from labor.

We affirm that these ends for which this Government was instituted have been defeated, and the Government itself has been made destructive of them by the action of non-slaveholding States. Those States have assumed the right of deciding upon the propriety of our domestic Institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the Institution of Slavery; they have permitted the open establishment among them of societies, whose avowed object is to disturb the peace and to eloign the property of citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books, and pictures to servile insurrection.¹

This is a definite, bold statement that the grievances which influenced South Carolina to pass secession acts were concerned with slavery, and with slavery alone. This is the evidence of South Carolina.

While we shall not consider all the States, there are several others that, by ordinances and resolutions introduced into their conventions, give definite information on the basic issues of secession. We shall, therefore, consider Alabama's evidence next.

¹ *War Between the States*, by A. H. Stephens, Vol. II, pp. 674-5.

The preamble to her secession ordinance begins: "Whereas, the election of Abraham Lincoln and Hannibal Hamlin to the offices of President and Vice-President of the United States of America by a sectional party avowedly hostile to the domestic institutions and to the peace and security of the people of Alabama," etc.²

There were in the Alabama Convention which adopted the secession ordinance many men who did not wish to secede, but desired that a convention composed of delegates from the slave-holding States should be called to consider the terms on which they might stay in the Union, which they presented as follows:

Be it further resolved, That our delegates selected shall be instructed to submit to the general convention the following basis of a settlement of the existing difficulties between the Northern and the Southern States, to wit:

1. A faithful execution of the fugitive slave law and a repeal of all State laws calculated to impair its efficacy.

2. A more stringent and explicit provision for the surrender of criminals charged with offenses against the laws of one State and escaping into another.

3. A guaranty that slavery shall not be abolished in the District of Columbia, or in any other place over which Congress has exclusive jurisdiction.

4. A guaranty that the interstate slave-trade shall not be interfered with.

5. A protection to slavery in the Territories, while they are Territories, and a guaranty that when they ask for admission as States they shall be admitted into the Union with or without slavery as their constitutions may prescribe.

6. The right of transit through free States with slave property.

7. The foregoing clauses to be irrepealable by amendments to the Constitution.³

Every one of these conditions has to do with slavery: the sixth denies the "State right" of free States to exclude slaves

² O. R., Vol. 127, p. 43.

³ O. R., Vol. 127, p. 45.

from their soil; and the seventh, and last, that "the foregoing clauses are to be irrevocable by amendments to the Constitution," would have fixed the sinister curse of slavery upon our land forever.

These resolutions, however, seeking redress by changes in the Federal Constitution, were lost by a vote of 54 to 45. It is worthy of note that by the same vote the following resolution was lost: "That this ordinance [Secession] shall not go into effect until the 4th day of March, 1861, and not then unless the same shall have been *ratified and confirmed by a direct vote of the people.*"⁴ (The italics are ours.)

The secessionists were not willing to risk a popular vote on secession.

It was not alone in her secession convention that Alabama gave evidence that slavery was the basis of her secession acts; all her commissioners to other States bear the same testimony. The tenor of their messages was the same, that with a "Black" Republican as President, and the Republican Party in power, the institution of slavery was threatened.

The Commissioner to Delaware discusses Lincoln's speech, delivered in Cincinnati, September, 1859, citing the following words: "We believe," Lincoln is quoted, "that the spreading and perpetuity of the institution of slavery impairs the general welfare. We believe, nay, we know that that is the only thing that has ever threatened the perpetuity of the Union itself. The only thing which has ever menaced the destruction of the Government under which we live is this very thing. To repress this thing is, we think, providing for the general welfare."

The Commissioner then comments:

He [Lincoln] may suppose that the people of the slave-holding States will be satisfied with the assurance that he does not intend to interfere with slavery in the States; but, in thus supposing, he supposes further, that they have not the manhood and honor to assert and maintain, or do not possess the intelligence to understand, their rights in the territories or wherever else the jurisdiction of the Government extends, and that they are willing

⁴ *Ibid.*

to surrender all the outposts, and leave the citadel unguarded, liable to first covert then open attacks. Notwithstanding this assurance, common sense and experience, our knowledge of human nature and all history, teach that, believing slavery to be a moral and political evil, a wrong to the Government, and that these States cannot exist half free and half slave, Mr. Lincoln will exert all his powers, influence, and patronage "to place it where the public mind shall rest in the belief that it is in the course of ultimate extinction."⁵

"Republicanism" worries this commissioner greatly, and, since it is the present-day Republican President and Congress which are bestowing honors on the secessionists, it is interesting to make comparisons and note what the secessionists thought of the Republicans.

Of Republicanism this commissioner says: "Instead of establishing justice it denies justice to fifteen of the States by refusing to admit any more slave States into the Union, and by the enactment of laws to prevent the rendition of fugitive slaves." Again, "Republicanism proposes to place the right to property in slaves under the ban of a consolidated, centralized General Government, and threatens to employ all its powers and resources to the consummation of the single purpose of destroying this single species of property."

The Alabama commissioner to Maryland is equally definite and equally opposed to Republicanism. We find him saying, Dec. 28, 1860, as an inducement for Maryland to secede:⁶

When Mr. Lincoln is inaugurated it will not be simply a change of administration—the installation of a new President—but a reversal of the former practice and policy of the Government, so thorough as to amount to a revolution. Cover over its offensiveness with the most artful disguises, and the fact stands out in its terrible reality that the Government, within the amplitude of its jurisdiction, real or assumed, becomes foreign to the South, and is not to recognize the right of the Southern citizen to property in the labor of African slaves.

⁵ O. R., Vol. 127, p. 36.

⁶ O. R., Vol. 127, p. 40.

He says, sadly:

The sentiment of the sinfulness of slavery seems to be imbedded in the Northern conscience. An infidel theory has corrupted the Northern hearts.

Speaking for Alabama, he says:

As a sovereign State, vitally interested in the preservation and security of African slavery, she will exercise the right of withdrawing from the compact of Union. Most earnestly does she desire the co-operation of sister Southern States in a new Confederacy, based on the same principles as the present. Having no ulterior or unavowed purposes to accomplish, seeking peace and friendship with all people, determined that her slave population, not to be increased by importations from Africa, shall not be localized and become redundant by excess of growth beyond liberty of expansion, she most cordially invites the concurrent action of all States with common sympathies and common interests.

He concludes his plea that Maryland shall join the seceding States with the statement, "To refuse union with the seceding States is to accept inferiority, to be deprived of an outlet for surplus slaves, and to remain in a hostile Government in a hopeless minority and remediless dependence."

Governor Moore of Alabama, in appointing a commission to Georgia, says, December 21, 1860:

Whereas, the election of Abraham Lincoln, a Black Republican, to the Presidency of the United States by a purely sectional vote and by a party whose leading and publicly avowed object is the destruction of the institution of slavery as it exists in the slave-holding States; and, whereas, the success of said party and the power which it now has and soon will acquire greatly endanger the peace, interests, security, and honor of the slave-holding States, and make it necessary that prompt and effective measures should be adopted to avoid the evils which must result from a Republican administration.⁷

We have cited thus fully the attitude of Alabama because she was, with South Carolina, earliest in the field to induce

⁷ O. R., Vol. 127, p. 55.

other States to secede. The only arguments presented by her to induce other States to secede concerned the institution of slavery. Our quotations prove that the secessionists, far from being interested in "local autonomy," were interested in and based every argument upon the need to extend slave territory, in order that the surplus slaves might be disposed of. In fact, it was not the *preservation* but the *extension* of slavery which was the basic principle of the Confederacy. They did not deem that their peculiar institution was threatened in the slave States, but they did see that the limitation of slave territory—even with the importation of slaves from Africa forbidden—would produce such an excess of slaves as to be a menace and a burden, since no profit could be obtained, and their numbers diminished by selling them into new territory.

Like the dog which dropped the piece of meat he held in order to seize its reflection in the brook, the slave-holders, in taking arms against the Government, not only failed to gain new territory for slavery, but lost that which they had already.

Georgia, like Alabama, had a temporizing group in her secession convention who presented resolutions naming the amendments which they deemed indispensable to the Constitution of the United States in order to satisfy the demands of the slave-holders. There are nine of these amendments set forth in Section 3 of the proposed ordinance, as follows:⁸

1. That Congress shall have no power to abolish or prohibit slavery in the Territories or any place under their exclusive jurisdiction.

2. Each State shall be bound to surrender fugitive slaves, and if any fugitive slave shall be forcibly taken or enticed from the possession of any officer legally charged therewith for the purpose of rendition, the United States shall pay the owner the value of such slave, and the county in which such rescue or enticement may occur shall be liable to the United States for the amount so paid, to be recovered by suit in the Federal Courts.

3. It shall be a penal offense, definable by Congress and punishable in the Federal courts, for any person to rescue or entice,

⁸ O. R., Vol. 127, pp. 58-9.

or to encourage, aid, or assist others to rescue or entice, any fugitive slave from any officer legally charged with the custody thereof for the purpose of rendition.

4. Whatever is recognized as property by the Constitution of the United States shall be held to be property in the Territories of the United States and in all places over which Congress has exclusive jurisdiction, and all kinds of property shall be entitled to like and equal protection therein by the several departments of the General Government.

5. New States formed out of territory now belonging to the United States, or which may be hereafter acquired, shall be admitted into the Union with or without slavery, as the people thereof may determine at the time of admission.

6. Congress shall have no power to prohibit or interfere with the slave-trade between the States, nor to prohibit citizens of the United States passing through or temporarily sojourning in the District of Columbia from having with them their slaves and carrying them away, but it shall be the duty of Congress to provide by law for the punishment of all persons who may interfere with this right in the same way as is provided for in the foregoing third proposition.

7. No State shall pass any law to prohibit the citizens of any other State traveling or temporarily sojourning therein from carrying their slaves and returning with them; and it shall be a penal offense, definable by Congress and punishable by the Federal courts, for any person to entice away or harbor, or attempt to entice away or harbor the slave or slaves of such citizens so traveling or temporarily sojourning.

8. The obligation to surrender fugitives from justice as provided for under the Constitution of the United States extends and shall be held to extend as well to fugitives charged with offenses connected with or committed against slavery or slave property as to any other class of offenses, and for the purposes of this proposition whatever is defined to be a criminal offense in one State shall be deemed and held a criminal offense in every other State.

9. The Supreme Court having decided that negroes are not citizens of the United States, no person of African descent shall be permitted to vote for Federal officers nor to hold any office or appointment under the Government of the United States.

The resolution, in which these suggested amendments to the Constitution of the United States were incorporated, had been offered as a substitute motion, but did not come to a vote on the call for the previous question. But they give the information that the only demands the Georgians voiced, in order to have their "rights" protected in the Union, concerned slavery and slave property.

They show that the *extension* of slavery was a very important point; and, further: the first amendment, "that Congress shall have no power to abolish or prohibit slavery in the Territories," taken in connection with the fourth proposal, that "all kinds of property" in the Territories should have "like and equal protection" of the General Government; and, in connection with the fifth proposal, that "new States formed out of territory now belonging to the United States, or which may be hereafter acquired, shall be admitted to the Union with or without slavery, as the people thereof may determine at the time of admission," would have the result that all territory of the United States, if such amendments were enacted, would become slave territory.

The seventh proposed amendment would deny to the free States the right to exclude slavery from their territory.

The preamble and ordinance which contained these nine suggested amendments to the Constitution of the United States proposed, in order to guarantee the future security of Georgia in her slave property, offer an interesting side-light on the way in which the truth of Confederate history is concealed: there were nine sections in the ordinance, of which Section 3 contained these nine proposed amendments.

Alexander H. Stephens in his *War Between the States*,⁹ while he quotes in full all but Section 3 and the brief Section 6 of this ordinance, makes no mention of Section 3, with its nine proposals concerning slavery, although they supplied the real motive of the ordinance. Dr. Ulrich Bonnell Phillips, in his prize-winning essay on *Georgia and State Rights*,¹⁰ makes

⁹ Pp. 301-4.

¹⁰ Published as a House Document, 57th Congress, First Session; *American Historical Association Report*, 1901-2.

no reference to these slavery amendment clauses in the substitute resolution except to say:¹¹

Mr. Stephens records that the most powerful argument in the whole campaign was that of Mr. T. R. R. Cobb: "We can make better terms out of the Union than in it." Mr. Stephens says, probably with much truth, that two-thirds of those who voted for the ordinance of secession did so expecting a subsequent reformation of the Union with constitutional guaranties for slavery on the general line of those set forth in the substitute resolutions of Mr. Johnson.

But for the last few words just quoted, no one could suspect, from the prize-winning essay of Dr. Phillips, that Georgia had desired any guaranties for slavery as the price of her staying in the Union, and no one, from his casual reference to the proposed slavery amendments, could suspect how far-reaching and drastic they were.

By such sins of omission, the loyal, as well as the disloyal, are misled as to the moving cause of secession in the Confederacy.

The nine proposed amendments, however, were presented by the anti-secessionists of the Georgia convention. Let us hear from the secession group. *The Journal of the Georgia Convention*, January 29, 1861, reads as follows, on this point:¹²

Mr. Nisbet, from the committee of seventeen to report the ordinance of secession, after stating that it was written by Mr. Toombs, made the following report, which was taken up, read, and adopted:

The people of Georgia having dissolved their political connection with the Government of the United States of America, present to their confederates and the world the causes which have led to the separation. For the last ten years we have had numerous and serious causes of complaint against our non-slaveholding confederate States with reference to the subject of African slavery. They have endeavored to weaken our security, to disturb our domestic peace and tranquillity, and persistently refused to comply with their express constitutional obligations

¹¹ P. 204.

¹² O. R., Vol. 127, p. 81.

to us in reference to that property, and by the use of their power in the Federal Government have striven to deprive us of an equal enjoyment of the common Territories of the Republic.

The report, which, throughout, as it begins, is an argument solely for the institution of slavery, gives as the immediate cause of the break the coming into power of a new party, described as follows:

The party of Lincoln, called the Republican party, under its present name and organization, is of recent origin. It is admitted to be an anti-slavery party. While it attracts to itself by its creed the scattered advocates of exploded political heresies, of condemned theories in political economy, the advocates of commercial restrictions, of protection of special privileges, of waste and corruption in the Administration of Government, anti-slavery is its mission and its purpose.

The report then continues: that the anti-slavery agitation was dormant for a while until the acquisition from Mexico of a large territory raised the question again, the North being determined to exclude slavery, the South to extend it into the newly acquired lands. "The prohibition of slavery in the Territories is the cardinal principle of this organization," the report says.

We have thus presented conclusive evidence that in Georgia the only issues raised concerned human slavery. We shall not cite further evidence, for the same motives influenced the secessionists in all the seceding States.

The Confederate apologists, in insisting that the Confederacy was fighting for State Rights, and in claiming that these rights were infringed upon by the Northern States, present a curious paradox: the Constitution of the United States protected only one class of slave property, the fugitive. It did not offer protection to slaves accompanying their owners to non-slave-holding States, where there were anti-slavery laws.

So, we have this curious situation: the justice of the present-day presentation of the Confederate cause is maintained

by asserting that the rights of Southern States were infringed upon under the Constitution; yet, we have just shown that the Confederates demanded, among other guaranties, the right of transit of slave property through, or sojourn in, anti-slavery States. This not only acknowledges that the Constitution did not contain that right, but thereby denies the State Rights of Northern States—which had anti-slavery laws—to prohibit slavery.

The insincerity of their claim to be the champions of State Rights is shown in Robert Toombs' second demand, "that property in slaves shall be entitled to the same protection from the Government as any other property (leaving the State the right to prohibit, protect or abolish slavery within its limits)." Yet, at the same time that the State is to have the right to prohibit, protect, or abolish slavery, he demands a law that shall give to the slave-owner the right to take slave property into free States.

The Northern States were just as zealous champions of State Rights as were the Southern States, and one of the rights they were determined to maintain was the right to exclude slavery from their territory.

As far as the Fugitive Slave Law was concerned, the United States gave this protection to Southern slavery, and enforced it a great deal better than it enforces the prohibition law of today, or than it protects the rights of the Negro citizen in the South today.

CHAPTER V

THE CONFEDERATE CONSTITUTION AND THE CAUSES OF SECESSION

The preceding chapters have shown that the basic cause of secession was slavery. But secession was just a first step of each State. The next step was to ratify the Constitution of the Confederate States.

We know that the constitution of a country is the palladium wherein the rights and privileges of its people are stated and protected. Therefore, we may of right conclude that the Constitution of the confederated States, since it was ratified by each seceding State, concerns itself with the rights and privileges which each State desired.

It is definitely taught today, in both North and South, as we have already shown, that the Confederate States seceded because of State Rights, the right of a State to govern itself; and certain histories teach that the Confederate Constitution upheld "the right of State Sovereignty."

We will, therefore, call into evidence the Constitution of the Confederate States, to see how much it concerns itself with State sovereignty, as understood by the defenders of the Confederacy, and how much with slavery.

In considering the Confederate Constitution in connection with State sovereignty, we invite attention to an admission of Jefferson Davis, in his message to Congress of April 29, 1861. Therein he says:¹

The Constitution of 1787, having, however, omitted the clause already recited from the Articles of Confederation, which provided in explicit terms that each State *retained* its sovereignty and independence, some alarm was felt in the States, when invited to ratify the Constitution, lest this omission should be construed into an abandonment of their cherished principle, and they

¹O. R., Vol. 127, p. 257.

refused to be satisfied until amendments were added to the Constitution placing beyond any pretense of doubt the reservation by the States of all their sovereign rights and powers not expressly delegated to the United States by the Constitution. [*Italics in original.*]

This is an important admission, as it shows that the Confederate leaders were cognizant of the fact that the Constitution of the United States did not recognize State sovereignty. The term "sovereign," used by Davis in the phrase "reservation by the States of their *sovereign* rights and powers," is not in the Amendments to which he refers; and, naturally, could not be, since the States are dominant only in those issues wherein there is nothing to the contrary in the Constitution.

As it was thus clearly understood by the Confederate leaders that the United States Constitution did not guarantee State sovereignty to the States, if this was a basic contention of the secessionists, then we must expect to find it as the most cherished principle of the Confederate Constitution, set forth "in characters of living light"; and, if slavery was not an issue with the secessionists, then we must expect to find it ignored, or else the gradual abolition of the institution provided for in the palladium of the Confederacy.

We shall first see if it concerns itself with slavery.

We here remind our readers that Davis says explicitly that the extension of slavery was precluded by the Confederate Constitution, and, in proof thereof, he cites the following paragraphs, which bear repetition:

1. The importation of negroes of the African race from any foreign country, other than the slave-holding States or Territories of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have the power to prohibit the introduction of slaves from any State not a member of, or Territory, not belonging to, this Confederacy.

Davis says, after quoting these two sections:

Under the Confederate Constitution, . . . the African slave-trade was "*hereby forbidden*" positively and unconditionally, from the beginning. Neither the Confederate Government nor that of any of the States could permit it, and the Congress was expressly "required" to enforce the prohibition. The only discretion in the matter intrusted to the Congress was, whether or not to permit the introduction of slaves from any of the United States or their Territories.² [*Italics in original.*]

Readers of Davis' memoirs concerning the Confederacy have a right to assume that these two paragraphs were all that concerned slavery in the Confederate Constitution. But we will not accept his summary as final. We will consult the document itself.

The Confederacy had two constitutions: the first one was adopted on February 8, 1861, and is called "Constitution for the Provisional Government of the Confederate States of America." Its preamble says it is "to continue one year from the inauguration of the President, or until a permanent constitution or confederation between the said States shall be put in operation, whichever shall first occur."³

In Article I, Section 7, we find the following paragraphs concerning slavery:

1. The importation of African negroes from any foreign country other than the slave-holding States of the United States, is hereby forbidden; and Congress are required to pass such laws as shall effectually prevent the same.

2. The Congress shall also have power to prohibit the introduction of slaves from any State not a member of this Confederacy. . . .

4. No bill of attainder or *ex post facto* law shall be passed.

Article IV, Paragraph 3, is as follows:

A slave in one State, escaping to another, shall be delivered up on claim of the party to whom said slave may belong by the executive authority of any State, in which such slave shall be found, and in case of any abduction or forcible rescue, full

² Davis, *Rise and Fall of the Confederate Government*, Vol. I, pp. 261-2.

³ O. R., Vol. 127, p. 92.

compensation, including the value of the slave and all costs and expenses, shall be made to the party, by the State in which such abduction or rescue shall take place.

This first Provisional Constitution of February 8, 1861, was superseded by another, adopted on March 11, just a little over a month after the first was adopted, and it was called "Constitution of the Confederate States of America." Its preamble says:⁴

We, the people of the Confederate States, each State acting in its sovereign and independent character, in order to form a permanent federal government, establish justice, insure domestic tranquillity, and to secure the blessings of liberty to ourselves and our posterity—invoking the favor and guidance of Almighty God—do ordain and establish this Constitution for the Confederate States of America.

The first reference to slavery in this permanent constitution occurs in Article I, Section 2, and reads as follows:

3. Representatives and direct taxes shall be apportioned among the several States, which may be included within this Confederacy, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all slaves.

Paragraphs 1 and 2 of Section 9 are almost identical with the Provisional Constitution, but the additions are significant, and so are italicized:

1. The importation of negroes of the African race, from any foreign country other than the slave-holding States *or Territories* of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have power to prohibit the introduction of slaves from any State not a member of, *or Territory not belonging to*, this Confederacy.

⁴ *Ibid.*, p. 136.

These two paragraphs just cited are as quoted by Davis. Paragraph 4 is changed to read as follows:

4. No bill of attainder, *ex post facto* law, or law denying or impairing the right of property in negro slaves shall be passed.

This sinister amendment fixed slavery in perpetuity upon the Confederacy. It gives the lie to those who, either through ignorance or deliberate misrepresentation, assert that it was the purpose of the Confederacy gradually to abolish slavery.

Article IV contains two paragraphs under Section 2, and one under Section 3, concerning slavery. They are:

Section 2. 1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States; and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property; and the right of property in said slaves shall not be thereby impaired.

3. No slave or other person held to service or labor in any State or Territory of the Confederate States, under the laws thereof, escaping or lawfully carried into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such slave belongs, or to whom such service or labor may be due.

Section 3. Paragraph 3. The Confederate States may acquire new territory; and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States; and may permit them, at such times, and in such manner as it may by law provide, to form States to be admitted into the Confederacy. *In all such territory the institution of negro slavery*, as it now exists in the Confederate States, shall be recognized and protected by Congress and by the Territorial government; and the inhabitants of the several Confederate States and Territories shall have the right to take to such territory any slaves lawfully held by them in any of the States or Territories of the Confederate States. (The italics are ours.)

It is thus conclusive, that, far from being a negligible part of the Confederacy scheme, slavery was the most important

part. The Provisional Constitution did not provide for the perpetuation or the extension of slavery. It did, however, protect the slaveholder from foreign importations and from States not belonging to the Confederacy. But this was not enough to satisfy the slaveholders. So, within five weeks of the adoption of the Provisional Constitution, the new and Permanent Constitution was adopted.

As has been shown, the Permanent Constitution also protected the slaveholder from the competition of alien importations; and by alien is meant not only foreign countries, but that part of the United States not lying within the confederated States. The Confederacy believed in free trade in all property but slaves, and that was "protected" as no other property has ever been.

But slave property had increased so rapidly, under the "beneficent" moral system imposed upon the slaves, that an outlet was necessary for the surplus number. The slaveholders would take no chances: the rights vested in slave property must be definitely protected; its perpetuity must be guaranteed. So we find Paragraph 4 of Section 9, of the first Article, so amended that no law shall be passed denying or impairing the right of property in negro slaves.

The extension of slavery must be guaranteed, too; so Article IV, Section 3, Paragraph 3, contains the definite law for the extension of it.

In the face of these provisions, which were added to the first Constitution because it was not definite on these points, Jefferson Davis had the effrontery to say that the extension of slavery was precluded by the Confederate Constitution. He even assumes a virtue in the law forbidding the foreign importation of slaves. This was not done, as witnesses have already borne testimony, because of any remote or present desire to limit or abolish slavery, but for the sole purpose of protecting the slaveholders of the Confederacy in their human wares.

The law forbidding importation of slaves from slaveholding States not in the Confederacy had another purpose, also. It was a whip to lash the laggard States, which were too reluc-

tant to leave the Union, into the Confederacy. They could not sell their surplus slaves into the anti-slavery North; and this law prevented them from selling them into the pro-slavery territory of the newly confederated States. They were forced to go with the Confederacy, or lose a market for their slaves. Virginia, as we shall later see, was one of those whipped into the Confederacy by the slaveholding interests.

Thus does the palladium of the Confederacy bear witness on the question of slavery. It protected, it perpetuated, and it extended that institution.

But what about State Rights—the right to govern themselves—“the principle” for which we are now told the Confederacy was established?

The Confederate Constitution differs but little from the Constitution of the United States, except as to the term of office of the President, the tariff, and slavery. But, since the principle of State Rights is now taught to have been the basic motive of the Confederacy, we would expect to find some expression of this principle in its Constitution. We have searched for it, and searched in vain. Not a word guarantees or even suggests to the States the right of self-government.

The preamble to the Constitution says, “each State acting in its sovereign and independent character,” and this phrase is often cited to prove the existence of State Sovereignty.

But Article VI, Paragraph 3, says:

This Constitution, and the laws of the Confederate States made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the Confederate States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

That paragraph places the Confederate Government above the individual State; and the States—as soon as they adopted the Constitution—lost whatever of sovereignty they might have had. This paragraph of Article VI comprehensively refutes the assertion that State Sovereignty existed in the Confederacy.

Of course, the States had rights under the Confederate Constitution, but not sovereignty. One right guaranteed to them, and it was also guaranteed to them in the Union, was that, in the organizing and training of militia, it was reserved "to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

Even this shred of authority, given to the States by the Confederate Constitution, was the cause of constant dissension between Confederate and the State authorities, the latter being determined that this specified right, vested in them by the Constitution, should not be wrested from them by the autocracy of the Confederate leaders.

The principle of the right of self-government, comprehending as it does the right to secede, was just as hostile to the Confederacy as to the Union. State Rights was a good name by which to camouflage the treason of disunion, and a good smoke-screen to conceal the activities of the slaveholders. Under the guise of State Rights, the powerful, rich, and dominant minority forced the Confederate States out of the Union, and then gave them a constitution which did not guarantee State Rights to the States, but fixed the infamous institution of slavery upon them forever.⁵

⁵ Concerning the ideals which actuated the Confederate leaders, Charles F. Horne, in his history, *The Story of the American People*, says (Vol. II, p. 225): "For both sides this was an honorable though regrettable war fought in support of a high ideal. In 1861 every white child in the South and many in the North had been brought up with a firm faith in State sovereignty and with a devoted State patriotism. The South was asserting this right of independence." The heading of the chapter is: *The War of Secession: How two Mighty Opponents Fought for a Noble Faith*.

While the title-page of this history states that it was "Prepared and issued at the suggestion of the American Legion, with its support and critical aid," we can better understand Horne's reason for stating that State sovereignty was the high ideal which caused secession, when we note that the long list of supporters of the history includes: Daughters of the Confederacy, Sons of Confederate Veterans, and United Confederate Veterans.

The title-page also contains the statement: "This work aims to establish a 'United' History, which can be accepted and taught in every portion of our Union." A book which falsely teaches that State Sovereignty was the basic principle of the Confederacy should not be accepted anywhere; but no historian of today dares proclaim the true cause of secession, human slavery, as a noble faith or a "high ideal."

The Confederate leaders, wise in their generation as had been the framers of the Constitution in 1787, knew the Confederacy could not be maintained on the frail foundation of the good-will of each State. Indeed, if they had been rash enough—which they were not—to insert such a principle into their Constitution, the Confederacy would have been dismembered from within long before it was destroyed from without by the valor of the boys in blue.

So, then, in asserting that the secessionists did not fight for slavery, but for the principle of the right to govern themselves, the present-day advocates of the Confederacy are but denying the faith of their fathers that “the cause that rose so white and fair, and fell so pure of stain” was slavery.

It is for this cause that on Stone Mountain, near Atlanta, Georgia, a memorial is being carved to those who sought to protect, perpetuate, and extend human slavery; and, for the purpose of aiding this project, a Republican Congress, without a dissenting vote, and a Republican President have enacted a law whereby United States coins have been minted as a memorial to the Confederacy; and the proceeds of the sale of these coins are to be used to finance the carving on the mountain.

These coins bear upon them the likenesses of Robert E. Lee and “Stonewall” Jackson, men who sought to overthrow this Government when a Republican administration had come into power!

Let us search the records and, like Zacchæus, seek to learn what manner of man it is upon whom the apologists and defenders of the Confederacy, passing over Jefferson Davis, place a halo, naming him always as the personification of every virtue, including patriotism, and upon whom they drape the garments of Confederate righteousness.

Let us seek to learn the manner of man he was, that the Confederacy thus honors him, and that the Republicans, denying also the faith of their fathers and bowing down to him as an acknowledged leader of the slaveholders’ rebellion, honor him above any of those whose patriotism preserved the Union and kept the Stars and Stripes, unconquered, proudly

floating over a country which has truly become a land of the noble free, because their sacrifice and their valor gave liberty to a race bound to perpetual servitude in the slaveholders' Confederacy.

CHAPTER VI

PRESENT-DAY PRAISE OF ROBERT E. LEE

“Never hand
Waved sword from stain as free,
Nor purer sword led braver band,
Nor braver bled for a brighter land,
Nor brighter land had a cause so grand,
Nor cause a chief like Lee.”

So wrote Father Ryan of the Confederacy of the man now acclaimed as its greatest leader.

To the casual student of history, it must seem strange that Jefferson Davis should be ignored, or superseded, by Robert E. Lee. It is like placing Grant above Lincoln. If Lee had any qualities of statesmanship, he never had the opportunity to exhibit them. He never was, at any time, the direct or indirect head of the Confederacy. He did not even obtain the command of all the Confederate troops until 1865, just shortly before he surrendered. He was in no sense *the* leader. There were always those above him in authority.

The fact that Davis is supplanted by Lee in the present-day honoring of the Confederacy is significant. The reason is to be found in the character of Davis.

Alexander H. Stephens, Vice-President of the Confederacy, writing to a friend on April 8, 1864, says of Davis:

While I do not and never have regarded him as a great man or statesman on a large scale, or a man of any marked genius, yet I have regarded him as a man of good intentions, weak and vacillating, timid, petulant, peevish, obstinate, but not firm. Am now beginning to doubt his good intentions. I say doubt, for after watching him closely I am not satisfied in my own mind, or arrived at any conclusion, whether some of his shortcomings are to be attributed to weakness or bad purposes. These are my real sentiments, and my reasons for them are these: Since his first

elevation to power he has changed many of his former State's rights principles, as in the case of conscription. His whole policy on the organization and discipline of the Army is perfectly consistent with the hypothesis that he is aiming at absolute power.¹

We might consider this frank statement as the attitude of a jealous rival toward a successful competitor for a high place but for the fact that there is much other evidence to confirm his opinion, some of which will be presented later in developing other topics.

An interesting confirmation lies in a letter written by General Beauregard to Colonel W. Porcher Miles, a member of of the Confederate Congress, February 7, 1864, in which he exclaims, concerning Davis: "Cannot some good angel open his eyes and ears and extirpate from his heart the corroded parts that are poisoning his whole system? The curse of God must have been on our people when we chose him out of so many noble sons of the South who would have carried us safely through this revolution!"²

That Stephens' characterization is correct is sustained by the rancorous dissension Davis had with the Governors of the States. The record is voluminous and complete, and shows that, while openly he was engaged in carrying on war against this Government, behind the scenes he was grimly engaged in a bitter, ink-slinging warfare with the various Governors, foremost of whom was Governor Joseph E. Brown of Georgia, closely followed by Governor Zebulon Vance of North Carolina.

The Governors were determined to reserve and maintain some rights to the States, particularly those specified under the Constitution, and resisted with fierceness and valor every encroachment on their rights. Their determination offers a fine defense of constitutional rights, whether it be of the individual, the State, or the Nation.

The fact that the Confederate Government continually infringed on the rights of the States, and was, therefore, continually embroiled with the Governors, is sufficient explanation of the downfall of Davis from first place in the hearts of the

¹ O. R., Vol. 129, p. 279.

² O. R., Vol. 111, p. 307.

Confederate sympathizers who are today eager for the principle of State Rights.

So, from the many able commanders in the Confederate Army, Lee has been selected as exemplifying, not only all the virtues of the Confederacy, but of humanity itself. These virtues it is our purpose to consider.

The *Atlanta Journal* of March 11, 1924, has an editorial, *A National View of Lee*. It begins:

Time is the great vindicator of right because it is the great clarifier. Forty years ago one hardly could have imagined the citizenship committee of the American Bar Association preparing and publishing, with the approval of that broadly representative body, a tribute to Robert E. Lee. True it is that informed and thoughtful minds, throughout the Union, long ago recognized his genius as a general, his grand integrity as a man, the poise and charm of his spirit, and the chivalry of his devotion to Virginia and the South. But now we hear him extolled far beyond the borders of Dixie as one "who, though the military leader in a lost cause, still speaks to us today in the clarion tone of a noble character and patriot, of the reserved rights of the states and the urgent necessity of maintaining unimpaired the American doctrine of local self-government."

In passing, we call attention to the fact that "the reserved rights of states" and the "doctrine of local self-government" are two entirely different things and are entirely different from the doctrine of State Sovereignty. All the States of the Union have, and always have had, "reserved rights," and have practised "local self-government." We have already shown that Lincoln, in his message to Congress, July 4, 1861, enunciates this principle briefly and forcefully; he calls it "the principle of generality and locality," and defines it as "Whatever concerns the whole should be confided to the whole—to the General Government—while what concerns only the State should be left exclusively to the State. This is all there is of original principle about it."

In following any argument for the Confederacy, this juggling of terms as synonymous, "reserved rights of states," "local autonomy," and "State Sovereignty," should be noted,

since they are not synonymous. But "State Sovereignty" was the magical phrase which misled the rank and file and blinded them to the real purpose of the slaveholders' rebellion. They already had local self-government, and such an argument would have offered no inducement for a State to secede.

The editorial in the *Atlanta Journal* continues:

The words quoted are from a current pamphlet issued by the American Bar Association in the interest of good citizenship and entitled, "Washington, Lee and Lincoln, the Great Triumvirate Among the Makers of America." The immediate authors, or compilers, are Elihu H. Root, New York; Walter George Smith, Pennsylvania; Cordenio A. Severance, Minnesota; F. Dumont Smith, Kansas; and R. E. L. Saner, Texas, chairman of the committee. . . .

How surely the years are clarifying and vindicating the great ideal for which the South of our fathers fought, judge from this utterance in the American Bar Association's citizenship pamphlet: "Eliminate, therefore, if you please, the question of slavery and of an indestructible union of states. The men who followed Robert E. Lee in a hopeless struggle fought for the principle which, however unfortunate its particular application with reference to the Civil War, is the principle of Anglo-Saxon liberty, of personal freedom, of individual initiative, of local self-government as our forefathers knew it, who wrung their independence from the mother country, enunciated this principle in the Declaration of Independence and established it definitely in the Constitution of the United States."

The editorial continues:

Lee, the chevalier of the South, "without fear and without reproach," will ever hold the deepest and dearest place in hearts to the manner born. But through the mellowing perspective of history towers the same and yet another figure—Lee the inspiration and hero of all America. The Bar Association, speaking from a national point of view, thus proclaims the truth: "He, too, was a great American patriot; and as years go by and only the more prominent figures among the makers of America stand out in retrospect, we shall find that not one of them—no, not one—offers to this and future generations a more priceless example of duty to country as he viewed it than is found in the

high-souled, finely-poised character, the model Christian gentleman, the soul of gentility and honor, Robert E. Lee."

This editorial is a fine example of the present-day justification of secession. Neither slavery nor the destructive doctrine of State Sovereignty is given as a cause, but "local self-government" is mentioned in the glittering tangle of words.

The description of Lee is typical of the thousands which may be found in the press, not only of the past, but of today. In fact, so persistently is Lee mentioned and lauded, with a persistence only equalled by the zeal with which the Union defenders are defamed, that it is gradually impressed on the mind that there is organized method behind it.

It is understandable, quite, that apologists for the Confederacy should seek to conceal the fact that slavery was the basis of the Confederation, for "Time," as the *Atlanta Journal* says, "is the great vindicator of right," and nowhere in the civilized world today is human slavery accepted as anything but infamous and degrading. It is but natural, therefore, that in the glamour of a peerless leader these apologists hope to conceal the degrading principle upon which the Confederacy was founded; and, while juggling with the terms State Rights, State Sovereignty, and local autonomy, endeavor to instil into the public mind of America the idea that their leader was *sans peur et sans reproche*, a knightly figure with stainless sword and patriotic soul, who could not espouse or fight for a cause unless it, too, was "white and fair" and "pure of stain."

It is surprising to what extent this propaganda is carried.

Recently F. G. Blair, State Superintendent of Schools in Illinois, issued a pamphlet to be used by the schools of the State for Memorial Day celebrations. It was entitled *The Liberty Bell Pageant*. The introduction says, "Naturally most of the characters and materials arise out of the Revolutionary period, but it has been thought wise to connect the Liberty Bell and Washington with Abraham Lincoln . . . and the final battle for freedom which resulted in the emancipation of the slaves."

Of the ten pictures in the pamphlet, but six are connected

with the Revolutionary and Civil War periods, namely: The Liberty Bell; Abraham Lincoln; U. S. Grant; Lee surrendering his sword to Grant; Robert E. Lee, and George Washington.

In scanning these titles, the singular fact presents itself that, although the pageant was concerned with the Revolutionary period, not a Revolutionary patriot, except George Washington, is pictured, and Robert E. Lee, who sought to destroy the Union Army, in honor of which Memorial Day was established, is pictured twice in the six pictures.

One of the minor poets has been reciting to the public-school children of the North his poem entitled *Lincoln and Lee*. This poem places Lincoln, the Great Emancipator, on exactly the same plane with Lee, who, no matter how pure his soul, his hand, and his sword, was fighting for a cause whose basic principle was exactly the opposite of that of Lincoln, namely, the protection, perpetuation, and extension of slavery. This poem was read in the Chicago public schools just shortly before Memorial Day, and naturally tended to create the impression that a Confederate commander, thus ranked with Lincoln, represented a cause as worthy as was Lincoln's, though the cause was not enunciated.

In the December, 1925, *Harper's Magazine*, in an article on *The Horrors of Washington*, H. G. Dwight mourns because Washington City has not even "the humblest memorial to one whom impartial authorities consider perhaps the greatest military genius this country has produced and one of the greatest of all times—General Robert Edward Lee."

In an editorial in the *Youth's Companion* of June 4, 1925, Lee is cited in a list of "the best sort of Americans."

Mrs. Frances Parkinson Keyes, wife of the Republican Senator from New Hampshire, writing in *Good Housekeeping*, has long followed the practice of singing the praises of Robert E. Lee. In the October, 1922, issue she says: "Whatever our opinions and traditions may be, we all realize now that Robert E. Lee was one of the greatest generals and one of the noblest men who ever lived."

Mrs. Keyes, as the wife of a senator, was a most earnest worker and advocate for the restoration of Arlington as a

memorial to her hero, Robert E. Lee. A resolution, thus honoring Lee, was unanimously adopted by Congress just before adjournment, March 4, 1925. This Congress, like the one which authorized the Stone Mountain Memorial coin, was Republican.

President Coolidge, who signed both these bills, in his address on General Grant says:

Men are made in no small degree by their adversaries. Grant had great adversaries. They fought with a dash and a tenacity, with a gallantry and an enduring purpose which the world has known in Americans, and in Americans alone. At their head rode General Robert E. Lee, marked with a purity of soul and a high sense of personal honor which no true American would ever stoop to question.³

We might multiply these examples of the present-day fashion of lauding, in season and out, the Confederate general Lee, but these suffice to show how widespread is the habit. Most of them have a marked peculiarity, that of the entire dis-association of Lee from the cause for which he fought. But, if he had been the victor at Appomattox, instead of Grant, "his purity of soul and high sense of personal honor" would not have saved a race from infamous servitude.

If we believe in national union and in liberty for all men, then, however noble we may think Lee to have been, we should, for the sake of loyalty to our Government, see to it that the generations of Americans yet to come understand that what Lee strove for four years to secure was the overthrow of this Government in order that slavery might prevail; and we should continue to emphasize this fact, lest, in the glorifying of him, our children should come to believe in the righteousness of his cause, now gilded with the title of "local autonomy."

³ Coolidge's *The Price of Freedom*, p. 156.

CHAPTER VII

EARLY DATA CONCERNING LEE

Robert Edward Lee, the exemplar of the virtues of the Confederacy, was born at Stratford, Westmoreland County, Virginia, on January 19, 1807, and the house in which he was born, as well as the house he left to enter the Confederacy, is still standing, in spite of the ravages of war.

His father was "Light Horse" Harry Lee of Revolutionary fame; his mother, Ann Hill Carter. His family, throughout the Revolutionary period, rendered conspicuous aid to those efforts which resulted in the establishment of the United States of America.

The important events in the life of Robert E. Lee, prior to 1860, summarized from his various biographies, are:

First, in 1825 he entered West Point and was graduated four years later, 1829, second in his class.

Thus commenced his military career, in which he was trained and maintained by the Government of the United States for thirty-six years. He rendered efficient service during this time, and, with others, won distinction in the Mexican War. His services covered different fields of activity, from active campaigning, as in Mexico, to laying boundary lines between States and looking to the harbor and coast defenses of the Union, at New York, Baltimore, Hampton Roads, and other places.

Second, on June 30, 1831, he married Miss Mary A. R. Custis of Arlington. His father-in-law, G. W. P. Custis, was the adopted son of George Washington, and the grandson of Mrs. Washington. Lee's wife, therefore, was the great-granddaughter of Martha Washington. In his wife's family, therefore, as well as his own, were those ties which were indissolubly associated with liberty and union—one and inseparable.

Third, in 1846-7 he was active in the Mexican War.

Fourth, in 1852 he was made Superintendent of the West Point Military Academy, where he served for three years;

Fifth, in October, 1859, he was in command of the United States force sent to capture John Brown at Harper's Ferry, where the latter had taken possession of the United States Arsenal.

During all these years of varied service in the United States Army, he had risen from the rank of cadet to Lieutenant-Colonel of Cavalry, and this was the rank he held when he was ordered to Washington from Texas, on February 4, 1861.

It is worth while to consider here the state of the nation at the time Lee arrived at Washington, on March 1, 1861.

Lincoln was not yet inaugurated as President of the United States. The reins of a crumbling Government were still in the hands of President Buchanan.

The States of South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas had passed secession ordinances, had confederated together, and had adopted a constitution for the Confederate States of America, with Jefferson Davis as President.

Secretary Joseph Holt, Secretary of War after Floyd had resigned, in a letter to President Buchanan, of date, February 18, 1861, describes the situation graphically, as follows:

Its [the rebellion in the Southern States] history is a history of surprises and treacheries and ruthless spoliations. The forts of the United States have been captured and garrisoned and hostile flags unfurled upon their ramparts. Its arsenals have been seized, and the vast amount of public arms they contained appropriated to the use of the captors, while more than half a million of dollars found in the mint at New Orleans has been unscrupulously applied to replenish the coffers of Louisiana.

Officers in command of revenue-cutters of the United States have been prevailed on to violate their trust and surrender the property in their charge, and, instead of being branded for their crimes, they and the vessels they betrayed have been cordially received into the service of the seceded States.

These movements were attended by yet more discouraging indications of immorality. It was generally believed that this

revolution was guided and urged on by men occupying the highest positions in the public service, and who, with the responsibilities of an oath to support the Constitution still resting upon their consciences, did not hesitate secretly to plan and openly to labor for the dismemberment of the Republic whose honors they enjoyed and upon whose Treasury they were living. As examples of evil are always more potent than those of good, this spectacle of demoralization on the part of States and statesmen could not fail to produce the most deplorable consequences. The discontented and the disloyal everywhere took charge. In other States adjacent to and supposed to sympathize in sense of political wrong with those referred to revolutionary schemes were set on foot, and forts and arms of the United States seized. The unchecked prevalence of the revolution and the intoxication which its triumphs inspired naturally suggested wilder and yet more desperate enterprises than the conquest of ungarrisoned forts or the plunder of an unguarded mint. At what time the armed occupation of Washington City became a part of the revolutionary programme is not certainly known. More than six weeks ago the impression had already extensively obtained that a conspiracy for the accomplishment of this guilty purpose was in process of formation, if not fully matured. The earnest endeavors made by men known to be devoted to the revolution to hurry Virginia and Maryland out of the Union were regarded as preparatory steps for the subjugation of Washington.¹

This was the situation of our nation at the time Lee returned from Texas. All that Secretary Holt so graphically describes had been accomplished without an effort on the part of the Government to stay the hands of those who were bent on destroying the Union. The same Government which sent Robert E. Lee to capture John Brown, for seizing the arsenal at Harper's Ferry, remained inert when the slaveholders seized Government property. The weak Buchanan was about to be replaced by Lincoln, the rail-splitter from Illinois. The Confederacy, already successful in much, had at its head a man of military experience and training, a West Pointer; the Union would have a man with little military training, and with but little military experience, and that in

¹ O. R., Vol. 107, pp. 436-7.

the Black Hawk War. He was extraordinarily unwarlike, and he seemed pacific.

Lee's biographers further enlighten us concerning his acts at this period, which may be briefly summarized thus: he was devoted to the Union, and was offered the chief command of the Union Army, but felt that he owed allegiance to Virginia, so, when that State seceded on April 17, 1861, he resigned from the Union Army, to follow the fortunes of his native State.

Thomas Nelson Page, in his biography of Lee, says, describing the situation which influenced Lee:

Even after Sumter was fired on, every effort was made by the State to bring about a reconciliation between the estranged and divided sections. But it was too late. Troops were already marching on her. The State of Lee did not make war. War was made on her. And under the shock Virginia, on the 17th day of April, solemnly reversed her former action and seceded from the Union she had done so much to create and so much to make great.²

Sir Frederick Maurice, in his *Robert E. Lee, the Soldier*,³ says, concerning the influences which took Lee with the Confederacy; "It was not possible that the South should have made him an offer more alluring than that conveyed to him from President Lincoln, and it is in fact evident that no offer, prior to his decision, was made."

Gamaliel Bradford, in *Lee, the American*, asks this question: "Why, then, did Lee leave the Union?" and answers it, "Because Virginia left it, and he felt that Virginia was his country. And I cannot see," he adds, "how any citizen of the old colonial states, with all the memories and traditions of his forefathers in his heart and all the local attachments and fellowships that constitute home, can fail even now to sympathize with such an attitude."⁴

We ask our readers to keep in mind these three statements from three present-century defenders of Robert E. Lee.

² Page's *Robert E. Lee, Man and Soldier*, p. 59.

³ P. 46.

⁴ P. 36.

Upon these premises are based all the conclusions which grant him nobility and patriotism:

1, Virginia was about to be invaded by an armed force; 2, Lee followed Virginia out of the Union, solely for love of his State, though he also loved the Union; 3, No other influence of place or position induced him so to act.

His biographers are all agreed on these points, and agreed also on the premise that, following Virginia out of the Union, even if it destroyed that Union, was a true basis of nobility and, therefore, we and our children are asked to emulate his Christian patriotism as thus revealed.

CHAPTER VIII

LEE'S LETTERS OF DECEMBER 27, 1856, AND JANUARY 23,
1861, TO MRS. LEE

In a letter to his daughter, Lee says, "It has been said that our letters are good representatives of our minds. They certainly present a good criterion for judging of the character of the individual."¹

We have presented the opinions of others concerning Lee. Let us, according to his own criterion, see what his letters reveal about himself—about Lee the man—during this crucial period of our national existence.

The first letter, which reveals his attitude on the issue of the day, is one to Mrs. Lee, written from Fort Brown, Texas, December 27, 1856. We quote it in part:

The steamer brought the President's message to Congress, and the reports of the various heads of the departments, so that we are now assured that the Government is in operation and the Union in existence. Not that I had any fears to the contrary, but it is satisfactory always to have facts to go on; they restrain supposition and conjecture, confirm faith, and bring contentment. I was much pleased with the President's message and the report of the Secretary of War. The views of the President on the domestic institutions of the South are truthfully and faithfully expressed. In this enlightened age there are few, I believe, but will acknowledge that slavery as an institution is a moral and political evil in any country. It is useless to expatiate on its disadvantages. I think it, however, a greater evil to the white than to the black race, and while my feelings are strongly interested in behalf of the latter, my sympathies are stronger for the former. The blacks are immeasurably better off here than in Africa, morally, socially, and physically. The painful discipline they are undergoing is necessary for their instruction as a race, and, I hope, will prepare and lead them to better things. How

¹ Fitzhugh Lee's *General Lee*, p. 66.

long their subjection may be necessary is known and ordered by a wise and merciful Providence. Their emancipation will sooner result from a mild and melting influence than the storms and contests of fiery controversy. This influence, though slow, is sure. The doctrines and miracles of our Saviour have required nearly two thousand years to convert but a small part of the human race, and even among Christian nations what gross errors still exist! While we see the course of the final abolition of slavery is onward, and we give it the aid of our prayers and all justifiable means in our power, we must leave the progress as well as the result in his hands, who sees the end and who chooses to work by slow things, and with whom a thousand years are but as a single day; although the abolitionist must know this, and must see that he has neither the right nor the power of operating except by moral means and suasion; and if he means well to the slave, he must not create angry feelings in the master.²

In this letter Lee records himself as against slavery. It is "a moral and political evil in any country," and worse for the white man than for the black.

Is it not strange, therefore—in fact, inexplicable—that, on the weak excuse of State Rights, he should align himself with the side which had for its sole and only principle the protection, extension, and perpetuity of slavery?

He could not plead ignorance on this point.

The Virginia Convention did not pass the ordinance of secession until April 17, 1861. The Confederate provisional and permanent constitutions, adopted on February 8 and March 11, 1861, respectively, gave complete evidence that slavery was guaranteed and State Sovereignty precluded.

While no evidence is available as to the number of slaves Lee may have owned personally, the statement is frequently made that he and his wife set their slaves free. Mrs. Lee inherited her slaves from her father, the owner of Arlington, who died in October, 1857. According to the provisions of his will, the slaves were to be emancipated at the end of five years, and this provision was necessarily carried out. Whatever the motive which actuated him in emancipating his own slaves, it cannot be said of Lee that he refrained from slave

² Fitzhugh Lee's *General Lee*, p. 63.

ownership "lest he make his brother to offend," since, in the fiery ordeal which engulfed our nation for four years, he sided with the slaveholders and fought to maintain their right in human property.

This is his first title to nobility: that he fought for slavery!

Writing to Mrs. Lee from Fort Mason, Texas, January 23, 1861, he says:³

You see by a former letter that I received from Major Nicholl, Everett's *Life of Washington* you sent me, and enjoyed its perusal very much. How his spirit would be grieved could he see the wreck of his mighty labors! I will not, however, permit myself to believe, till all ground for hope is gone, that the work of his noble deeds will be destroyed, and that his precious advice and virtuous example will soon be forgotten by his countrymen. As far as I can judge from the papers, we are between a state of anarchy and civil war. May God avert from us both. I fear mankind for years will not be sufficiently Christianized to bear the absence of restraint and force. I see that four States have declared themselves out of the Union. Four more apparently will follow their example. Then if the border States are dragged into the gulf of revolution, one half the country will be arrayed against the other, and I must try and be patient and wait the end, for I can do nothing to hasten or retard it.

The "precious advice" of Washington to which Lee refers must be re-read to appreciate fully the letter just quoted. In his Farewell Address, as already quoted, Washington urges the necessity of maintaining the Union "against which the batteries of *internal* and external enemies will be most constantly and actively (though often covertly and insidiously) directed"; saying further: "it is of infinite moment that you should properly estimate the immense value of your national *union* to your collective and individual happiness; that you should cherish a *cordial*, *habitual* and *immovable* attachment to it; accustoming yourself to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety, discountenancing whatever may suggest even a suspicion that it can, in any event, be

³ Fitzhugh Lee's *Lee*, p. 84.

abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest."

In the light of this "precious advice" from one so closely associated with his family and his country, and the further fact that he was an officer in the United States Army and under oath to support the Union, we naturally expect the sword of Lee to leap from its scabbard in defense of his country, which was being rent assunder by internal foes.

Just how did he manifest his immovable attachment to his country? How did the voice of patriotism speak through him to protect his country in either anarchy or civil war?

He speaks, and his noble soul betrays itself in these words: "I can do nothing to hasten or retard." Thus flashed his sword in the words, "I can do nothing!" And certain it is that there is no record that he did a single thing to help to preserve the Union. He did not seek to instil into his sons those principles of Union which Washington had bequeathed to them as well as to the rest of the nation.

"I can do nothing." In these words lie his second claim to nobility and his right to be honored by a loving country and to be presented as a pattern of patriotism:

"I can do nothing."

CHAPTER IX

LEE'S ATTITUDE TOWARD THE UNION AND THE CONFEDERACY. VIRGINIA CONVENTION SECESSION ACTS

In further understanding of Lee's motives and character, we cite the letter he wrote from Texas to his son, January 23, 1861:¹

The South, in my opinion, has been aggrieved by the acts of the North, as you say. I feel the aggression and am willing to take every proper step for redress. It is the principle I contend for, not individual or private benefit. As an American citizen, I take great pride in my country, her prosperity, her institutions, and would defend any State if her rights were invaded. But I can anticipate no greater calamity for the country than a dissolution of the Union. It would be an accumulation of all the evils we complain of, and I am willing to sacrifice everything but honor for its preservation. I hope, therefore, that all constitutional means will be exhausted before there is a resort to force. Secession is nothing but revolution. The framers of our Constitution never exhausted so much labor, wisdom, and forbearance in its formation, and surrounded it by so many guards and securities, if it was intended to be broken by every member of the Confederacy at will. It is intended for "perpetual union," so expressed in the preamble, and the establishment of a government, not a compact, which can only be dissolved by revolution or the consent of all the people in convention assembled. It is idle to talk of secession. Anarchy would have been established, and not a government, by Washington, Hamilton, Jefferson, Madison, and all the other patriots of the Revolution Still a Union that can only be maintained by swords and bayonets, and in which strife and civil war are to take the place of brotherly love and kindness, has no charm for me. I shall mourn for my country and for the welfare and progress of mankind. If the Union is dissolved and the government dispersed, I shall

¹ Maurice's *Lee*, p. 52.

return to my native State and share the miseries of my people and save in defence will draw my sword no more.

This is a most singular letter, coming as it does from an officer in the service of the United States, and the more one reads it, the more remarkable it appears.

In the first place, it leaves us in the dark as to the acts of the North which aggrrieve the South. Fortunately for us who are interested in "loyalty to the truth of Confederate history," there is a complete and voluminous record, some of which we have already quoted, to show that the South was aggrieved in not being allowed to carry her slaves into anti-slavery States (in violation of the laws of those States) and by the opposition of the non-slaveholding States to the extension of slavery into the Territories. Her grief concerned itself with slavery issues.

Second, Lee shows a perfect knowledge of the binding powers of the Constitution, the lawlessness of secession, and the calamity of disunion. Then, having reasoned these things out clearly, he states that he would defend any State if her rights were invaded.

Third, nowhere in the letter is there a single hint or suggestion that "the sword of Robert Lee" would be drawn to maintain the Union, whose dissolution, he states, would be so calamitous. Instead, with perfect resignation, he expresses his willingness to mourn for his country and for the welfare and progress of mankind.

This willingness to mourn for his country when destroyed is, of course, singularly noble, and we should give him due credit for it. Some of the Confederates were not willing to drop a tear on the bier of their dying country. So we should do full justice to Lee on this point and count it to his credit, as among the attributes which cause him to be held up as a pattern of patriotism—he mourned for his dying country.

But, Lee added another sentence: "If the Union is dissolved and the government dispersed, I shall return to my native State and share the miseries of my people and save in defense will draw my sword no more."

To get the full force of this sentence, we must remember

that secession was merrily under way at the time this letter was written, and that the United States Government had not lifted a finger to stay the dissolution of the Union.

These letters of Lee show his opinions and attitude at the time, on February 4, 1861, when the following order was issued from Headquarters, San Antonio:

4. In compliance with instructions from the headquarters of the Army, Bvt. Col. Robert E. Lee, Second Calvary, is relieved from duty in this department, and will repair forthwith to Washington and report in person to the General-in-Chief.²

So, taking his benign view of doing nothing to preserve the Union, but willing to mourn for it, Lee repaired to Washington, arriving there on March 1, 1861.

While his biographers give us quite a bit of data concerning this period of Lee's life, they record nothing of moment in March, although there were two very important events—determining factors, indeed. We will return to these important factors a little later, after we have cited the facts usually made public by historians.

Lee arrived in Washington on March 1. On March 4, in spite of threats that it should not be so, Abraham Lincoln was inaugurated President of the United States, and swore, to the best of his ability, "to preserve, protect and defend the Constitution of the United States." On April 12, Fort Sumter was fired upon. On April 15, President Lincoln called for 75,000 men to preserve the Union.

Now, Virginia was considered a most necessary addition to the States already confederated, and men devoted to the Confederacy were earnest in their endeavors to get her out of the Union and into the Confederacy. The Union, in its formation, owed much to Virginia. It was the native State not only of Washington, but of many other devoted patriots, and many of her citizens, in spite of the alluring arguments of State Sovereignty advanced by the slave-holders, were loyal to the Union. There were many of them, also, who did

² O. R., Vol. 1, p. 586.

not believe in slavery. Some of the strongest arguments against slavery were promulgated by citizens of Virginia.

But, in spite of these anti-secession and anti-slavery elements, the Virginia Convention, on April 17, 1861, adopted the following ordinance:^a

An Ordinance to repeal the ratification of the Constitution of the United States of America by the State of Virginia, and to resume all the rights and powers granted under said Constitution.

The people of Virginia in their ratification of the Constitution of the United States of America, adopted by them in convention on the twenty-fifth day of June, in the year of our Lord one thousand seven hundred and eighty-eight, having declared that the powers granted under said Constitution were derived from the people of the United States and might be resumed whensoever the same should be perverted to their injury and oppression, and the Federal Government having perverted said powers not only to the injury of the people of Virginia but to the oppression of the Southern slave-holding States:

Now, therefore, we, the people of Virginia, do declare and ordain, That the ordinance adopted by the people of this State in convention on the twenty-fifth day of June, in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and all acts of the General Assembly of this State ratifying and adopting amendments to said Constitution, are hereby repealed and abrogated; that the union between the State of Virginia and the other States under the Constitution aforesaid is hereby dissolved, and that the State of Virginia is in the full possession and exercise of all the rights of sovereignty which belong and appertain to a free and independent State.

And they do further declare, That said Constitution of the United States of America is no longer binding on any of the citizens of this State.

This ordinance shall take effect and be an act of this day, when ratified by a majority of the votes of the people of this State cast at a poll to be taken thereon on the fourth Thursday in May next, in pursuance of a schedule hereafter to be enacted.

Adopted by the Convention of Virginia April 17, 1861.

^a O. R., Vol. 127, p. 223.

It is to be noted that the ordinance refers to "the Southern slave-holding States."

But, most important of all, this ordinance did not take effect and become an act until "*ratified by a majority of the votes of the people of this State at a poll to be taken thereon on the fourth Thursday in May next.*"

The fourth Thursday in May was the 23rd. So, by no lawful interpretation could Virginia possibly be considered out of the Union until the poll of May 23, 1861, might so record the will of the people.

Virtually all historians, Southern and Northern, ignore this provision of the ordinance. James Ford Rhodes, in his history of the United States, remarks, "No great significance, however, need be laid upon the proviso that the ordinance required ratification by the people before taking effect, since matters proceeded on the assumption that they would make it valid."⁴ But this "assumption" did not change the fact that, according to its own ordinance, Virginia could not possibly be out of the Union until May 23, 1861.

This ordinance, it must also be noted, did not take Virginia into the Confederacy. If the right to secede is conceded, still, under her own ordinance, there was no possibility for Virginia to become a member of the Confederacy lawfully until after the popular vote on May 23 had indicated whether Virginia was loyal or disloyal to the Union.

But, in the face of this apparent deferring to the will of the people, the Virginia Convention, on this same April 17, adopted an ordinance and also a Convention which subverted the ends to be gained by this proviso and denied to the people of Virginia the right of decision.

The ordinance is in part as follows:

We, the delegates of the people of Virginia, in convention assembled, solemnly impressed by the perils which surround the Commonwealth, and appealing to the Searcher of Hearts for the rectitude of our intentions in assuming the grave responsibility of this act, do, by this ordinance, adopt and ratify the Constitution of the Provisional Government of the Confederate States

⁴ Rhodes' *History of the United States*, Vol. III, p. 266.

of America, ordained and established at Montgomery, Ala., on the 8th day of February, 1861: *Provided*, That this ordinance shall cease to have any legal operation or effect if the people of this Commonwealth, upon the vote directed to be taken on the ordinance of secession passed by this convention on the 17th day of April, 1861, shall reject the same.⁵

The Convention reads:

The Commonwealth of Virginia, looking to a speedy union of said Commonwealth and the other slave States with the Confederate States of America according to the provisions of the Constitution for the Provisional Government of said States, enters into the following temporary convention and agreement with said States for the purpose of meeting pressing exigencies affecting the common rights, interests, and safety of said Commonwealth and said Confederacy:

First. Until the union of said Commonwealth with said Confederacy shall be perfected and said Commonwealth shall become a member of said Confederacy according to the constitutions of both powers, the whole military force and military operations, offensive and defensive, of said Commonwealth in the impending conflict with the United States shall be under the chief control and direction of the President of said Confederate States, upon the same principles, basis, and footing as if said Commonwealth were now and during the interval a member of said Confederacy.⁶

. . . .

It is thus seen that for more than a month before the people had a chance to vote on secession "the offensive and defensive forces of Virginia" were subject to the orders of the President of the Confederacy!

While these things were being done by the Virginia Convention, Lee was living at Arlington and was in close association with the officials of the United States Government as well as those of the Army.⁷

⁵ O. R., Vol. 127, p. 243.

⁶ *Ibid.*

⁷ Concerning this period of Lee's life the *Encyclopedia of American Biography*, Vol. I, p. 122, says: "On March 10, 1861, Col. Lee was made a member of the board to revise the 'Regulations for the Government of the United States Army', and he filed the report of the board, April 18, 1861."

On April 18, he had an interview with Francis P. Blair. This interview has been described, not only by Lee, but by Blair, and their statements are of so much importance that we will cite them. Blair had no official connection with the United States Government, but his son, Montgomery Blair, was Postmaster-General. Rhodes, in his history, cites Blair's account in a foot-note, as follows:⁸

Francis P. Blair stated on the 14th day of April, 1871:

"In the beginning of the war Secretary Cameron asked me to sound General Robert E. Lee, to know whether his feelings would justify him in taking command of our army. His cousin, John Lee, sent him a note at my suggestion. Lee came. I told him what President Lincoln wanted him to do. He wanted him to take command of the army. Lee said that he was devoted to the Union. He said, among other things, that he would do everything in his power to save it, and that if he owned all the negroes in the South, he would be willing to give them up and make the sacrifice of the value of everyone of them to save the Union. We talked several hours on the political question in that vein. Lee said he did not know how he could draw his sword upon his native State. We discussed the matter at some length, and had some hours of conversation. He said he could not decide without seeing his friend General Scott. He said he could not, under any circumstances, consent to supersede his old commander. He asked me if I supposed the President would consider that proper. I said yes. Then had a long conversation on that subject. He left the house and was soon after met by a committee from Richmond. He went with them, as I understood from some friends afterwards, to consult the Virginia Convention as to some mode of settling the difficulty. I never saw him afterwards."

As the Virginia Convention had already voted for secession from the Union, for ratification of the Provisional Constitution of the Confederacy, and for the control of its offensive and defensive forces by the President of the Confederacy, any mode which Lee might suggest for settling the difficulties must have included these three conditions. We shall see a little later just what he did. Blair's statement concludes:

The Adjutant-General of the United States, in a letter dated February 17, 1930, says that there is no record in the War Department to show that Lee was a member of any such board, or filed any such report.

⁸ Rhodes, Vol. III, p. 252.

The matter was talked over by President Lincoln and myself for some hours on two or three different occasions. Secretary Cameron and myself talked some hours on the same subject. The President and Secretary Cameron expressed themselves as anxious to give the command of our army to Robert E. Lee. I considered myself as authorized to inform General Lee of that fact. I do not believe that Secretary Chase was consulted on the subject.

Lee says in reference to this interview with Blair, in a letter written to Reverdy Johnson, February 25, 1868:

I never intimated to any one that I desired the command of the United States army; nor did I ever have a conversation with but one gentleman, Mr. Francis Preston Blair, on the subject, which was at his invitation, and, as I understood, at the instance of President Lincoln. After listening to his remarks, I declined the offer he made me, to take command of the army that was to be brought into the field; stating, as candidly and as courteously as I could, that, though opposed to secession and deprecating war, I could take no part in an invasion of the Southern States. I went directly from the interview with Mr. Blair to the office of General Scott; told him of the proposition that had been made to me, and my decision. Upon reflection after returning to my home, I concluded that I ought no longer to retain the commission I held in the United States Army, and on the second morning thereafter I forwarded my resignation to General Scott. At the time, I hoped that peace would have been preserved; that some way would have been found to save the country from the calamities of war; and I then had no other intention than to pass the remainder of my life as a private citizen. Two days afterward, upon the invitation of the Governor of Virginia, I repaired to Richmond; found that the Convention then in session had passed the ordinance withdrawing the State from the Union; and accepted the commission of commander of its forces, which was tendered me.⁹

In studying these statements, the reader should remember that the customary way of advancing an officer in the United States Army is to appoint him to a higher rank. Lee never

⁹ Lee's *Recollections of General Lee*, p. 27.

received this appointment, nor was it ever tendered to him officially by the only person who had the power to bestow it, President Lincoln.

It was the desire of the United States Government, naturally, to hold every officer possible to the service of the Union. The disloyalty of the officers of the army and navy and the loyalty of the men had been a subject of comment.

The new Lincoln administration was not entirely unaware of Lee's benign resignation to the disintegration of the Union, and his expressed willingness to defend any State whose rights were invaded, regardless of what the rights were, apparently, and his unwillingness to invade a Southern State, however injurious her acts might be to the Union. There was such disloyalty among the officers of Southern birth that some sagacious mind evidently doubted the loyalty of Lee, however much his Commander-in-Chief, General Scott, might trust him. Moreover, it was time for every man to show his colors. Those who were not for the Union were against it. It was no longer wise to let an officer remain neutral and yet be in touch with the plans of the Administration. Whatever knowledge was thus gained could be used against the Government later.

That Abraham Lincoln's sagacious mind understood Lee thoroughly is shown by a letter Lincoln wrote on June 12, 1863, to the Hon. Erastus Corning and others at Albany, N. Y., wherein, discussing his constitutional right to suspend the writ of habeas corpus, he said, in part: ¹⁰

Of how little value the constitutional provisions I have quoted will be rendered if arrests shall never be made until defined crimes shall have been committed may be illustrated by a few notable examples. General John C. Breckenridge, *General Robert E. Lee*, General Joseph E. Johnston, General John B. Magruder, General William Preston, General Simon B. Buckner, and Commodore Franklin Buchanan, now occupying the very highest places in the rebel war service, were all within the power of the Government since the rebellion began and *were nearly as well known to be traitors then as now*. Unquestionably if we had seized and held them the insurgent cause would be much weaker.

¹⁰ O. R., Vol. 119, pp. 6 and 7.

But no one of them had then committed any crime defined in the law. Every one of them if arrested would have been discharged on habeas corpus were the writ allowed to operate. [*The italics are ours.*]

Thus does Abraham Lincoln bear witness that Lee was known to have been a traitor while he was yet within the power of the Government, but he had committed no overt act, and so was not arrested.

Blair, therefore, unofficially, was permitted to sound Lee's loyalty. Lee's hand was forced. He had to declare himself. He was weighed in the scales of loyalty—and found wanting.

This was on April 18, that Lee was forced to acknowledge his momentous decision. Yet, less than three weeks before, on March 30, 1861, Robert E. Lee had accepted from the "Black" Republican Lincoln the commission of colonel of cavalry, the following oath being required:

I, Robert E. Lee, appointed a Colonel in the Army of the United States, do solemnly swear, or affirm, that I will bear true allegiance to the United States of America, and that I will serve them honestly and faithfully against all their enemies or opposers whatsoever; and observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the Rules and Articles for the government of the Armies of the United States.

President Lincoln appointed Lee a colonel on March 16, 1861, and, after two weeks of thought, Lee accepted on March 30. He had been at home a month when he accepted this commission and renewed his oath of allegiance.

If there is any value in an oath, if there is any high personal honor connected with taking a pledge of allegiance, then honor bound Lee to the United States and to "the Black Republican", Abraham Lincoln. The South was in arms. Jefferson Davis had been authorized to raise an army of 100,000 men by the Confederate Congress on March 6, 1861.¹¹ It was not a pacific South and a warlike North he was called on to decide between, but an armed South and a pacific North,

¹¹ O. R., Vol. 127, p. 126.

for, under the terms of the Act authorizing the army of 100,000 men by April 16, the Confederacy had called almost 70,000 men into service.¹²

It is asserted that Lee went with the Confederacy because Virginia joined it. His nephew says, "He had been taught when a boy that his first duty was to his mother Commonwealth."¹³ How could any one, so taught, honorably take the oath of allegiance to the United States! But we will, shortly, investigate the truth of the statement that Lee went with the Confederacy because Virginia joined it, accepting it as true, for the moment.

Did Lee, in taking the oath of allegiance on March 30, announce his resolution, put in a saving clause, that he would not invade a Southern State, that he would not fight against the only force which was then in arms and hostile to the Government from which he was accepting the commission as colonel? Of course, he did not. He swore allegiance to the United States of America on March 30, 1861, and made no exception that he would not draw his sword against a Southern State. No wonder this damning fact has been suppressed by his biographers.

How eager Confederate sympathizers of today are to conceal the fact of this appointment of Lee to a colonelcy, his acceptance of it, and his renewal of his oath of allegiance to the United States, is shown by the *Confederate Veteran* of March, 1927, page 113.

In the catechism for the Children of the Confederacy, an

¹² O. R., Vol. 126, p. 692.

On March 6, 1861, the Adjutant General of South Carolina reports 8,835 troops organized for service, (O. R., Vol. 126, p. 689).

Under several Acts to raise troops for the Confederacy, L. P. Walker, Confederate Secretary of War, made requisitions on the seceded States for troops.

March 9, 1861, he called from Alabama, 2,000; Mississippi, 1,500; Florida, 500; Georgia, 2,000; Louisiana, 1,700 (*Ibid.*, p. 691).

On April 8, 1861, he called from South Carolina, 3,000; Florida, 1,500; Georgia, 3,000; Louisiana, 3,000; Texas, 3,000; Alabama, 3,000; Mississippi, 3,000 (*Ibid.*, pp. 691-692).

On April 16, 1861, he called from Florida, 2,000; Georgia, 5,000; Louisiana, 5,000; Mississippi, 5,000; South Carolina, 5,000; Texas, 5,000; Alabama, 5,000. (*Ibid.*, p. 692; also, O. R., Vol. 127, p. 221.)

¹³ FitzHugh Lee's *Lee*, p. 81.

organization sponsored by the United Daughters of the Confederacy, the question is asked and answered:

"What rank did Robert E. Lee hold in the United States Army at the time the first seven States seceded?

"Lieutenant-Colonel, U. S. A."

Thus nicely do they evade stating that before the eighth State, Virginia, seceded, Lee had renewed his oath to support the United States and had accepted the rank of a colonel in the United States Army!

We now come to the second fact which has been systematically suppressed by the historians who concern themselves with Lee. It should be considered in juxtaposition with his renewed oath of allegiance and before we consider the letters Lee wrote at the time he tendered his resignation.

So deep was Robert E. Lee in the plans of the slave-holders' Confederacy, so well was his disloyalty to his country known to the ringleaders of the rebellion, that on March 15, 1861, on the day before Lincoln appointed him to the rank of colonel, the following appointment was made by the Confederate Government:

WAR DEPARTMENT,
MONTGOMERY, MARCH 15, 1861.

BRIG. GEN. ROBERT E. LEE:

SIR: You are hereby informed that the President, by and with the advice of Congress, has appointed you a brigadier-general in the Army of the Confederate States. You are requested to signify your acceptance or non-acceptance of said appointment, and should you accept you will sign before a magistrate the oath of office herewith and forward the same, with your letter of acceptance, to this Department.

L. P. WALKER,
Secretary of War.

(Same to Brig. Gen. Joseph E. Johnston.) ¹⁴

An interesting side-light on this appointment is contained in a general report of February, 1862, to the President by

¹⁴ O. R., Vol. 127, p. 165.

Judah P. Benjamin, who succeeded L. P. Walker as Confederate Secretary of War. Mr. Benjamin discusses, in his report, the early activities of the Confederacy in preparing for war before the United States had taken any active steps to quell the rebellion. He states that most of the people did not expect war, and then adds:

The records of the Department, however, exhibit the fact that this sense of security was not shared by the Executive. An immediate and active correspondence was at once commenced between my predecessor and *officers of skill and experience in the Army of the United States* whose citizenship and principles gave assurance that they could not but be faithful to the cause of the Confederacy.¹⁵ [The italics are ours.]

It is no wonder that those who cite Lee as an exemplar of all that is noble and patriotic either deny the possibility of such an appointment to what was then the highest military rank in the Confederacy, or maintain a discreet silence on this proof of his duplicity and disloyalty, but

The moving finger writes, and having writ, moves on,
and the record left proclaims that he, who renewed his oath of allegiance to the United States on March 30, 1861, was already stained with treason, and dishonored himself in renewing his allegiance.

Betrayal of this dishonoring fact is made recently by two writers who seek to further the cause of the Confederacy by showing Lee's devotion to it. Mary Carter, in an article on San Antonio, Texas,¹⁶ says: "It was here [San Antonio] that Robert E. Lee made decision to join the Confederacy." Mrs. Frances Parkinson Keyes presents the same information as follows:¹⁷ "Here [San Antonio] Robert E. Lee formed the great decision which made him the leader of the 'Lost Cause.'"

According to these authorities, the secession of Virginia had nothing to do with Lee's decision to desert the Union, since he had reached that decision months before Virginia seceded.

¹⁵ O. R., Vol. 127, p. 956.

¹⁶ *American Legion Monthly*, June, 1928, p. 23.

¹⁷ *Good Housekeeping*, January, 1929, p. 210.

CHAPTER X

LEE'S LETTERS CONCERNING HIS RESIGNATION FROM UNITED STATES ARMY. HIS MOTIVE

It would be interesting to know just where and how Lee spent all the time which elapsed between his order to go to Washington, on February 4, and his arrival on March 1, 1861. Did he go direct to Washington, or did he go by Montgomery, Alabama, where the seat of the Confederate Government was then located? The records are silent on this question. How did the Confederacy become aware of Lee's determination to go with the slaveholders' rebellion? Was it by word of mouth, or through the correspondence referred to by Secretary of War Benjamin? We are assured by present-day writers that he had made the momentous decision while yet at San Antonio. The Confederate leaders must have known this, since he was the second brigadier-general appointed by the Confederate Congress, Samuel Cooper only being ahead of him. The Confederate ringleaders had sufficient advance information to be certain that their plums of high appointment should fall into receptive and outstretched hands.

Assuming, as they do, that Lee was actuated solely by his allegiance to his native State, his biographers necessarily must be silent upon such questions as those just raised. To destroy the foundation upon which they base Lee's claim to honor and glory as an American patriot, is to destroy the whole carefully built-up edifice, and that foundation is his devotion to Virginia. The two appointments cited in the previous chapter show how baseless is the foundation of his biographers.

The fact of these two appointments, suppressed for many years, but perfectly accessible to those interested in "loyalty to the truth of Confederate history," must be borne in mind in reading Lee's letters at the time he tendered his resignation

on April 20, 1861. It was not accepted until April 25, 1861. This fact, too, must be kept in mind, that Lee was not out of the United States Army until April 25, and his conduct must be judged accordingly.

On April 17 the Virginia Convention passed the Ordinance of Secession, subject to the popular vote on May 23, and also put the "offensive and defensive forces" of the State in the control of the President of the Confederacy.

On April 18, Lee had his interviews with Blair and Scott, and thought thereon during the 19th.

On April 20 he tendered his resignation and wrote the following letters concerning it:¹

ARLINGTON, WASHINGTON CITY P. O.,
APRIL 20, 1861.

HONOURABLE SIMON CAMERON, SECRETARY OF WAR.

SIR: I have the honour to tender the resignation of my command as Colonel of the First Regiment of Cavalry.

Very respectfully your obedient servant,

R. E. LEE,
Colonel First Cavalry.

At the same time he wrote to Commander-in-chief, General Winfield Scott (like himself, a Virginian, it must not be forgotten):

ARLINGTON, VIRGINIA, APRIL 20, 1861.

GENERAL: Since my interview with you on the 18th inst. I have felt that I ought no longer to retain my commission in the Army. I therefore tender my resignation, which I request you will recommend for acceptance. It would have been presented at once but for the struggle it has cost me to separate myself from a service to which I have devoted the best years of my life, and all the ability I possessed.

During the whole of that time—more than a quarter of a century—I have experienced nothing but kindness from my superiors and a most cordial friendship from my comrades. To no one, General, have I been as much indebted as to yourself for uniform kindness and consideration, and it has always been my

¹ R. E. Lee's *Recollections*, Chapter II.

ardent desire to merit your approbation. I shall carry to the grave the most grateful recollections of your kind consideration, and your name and fame shall always be dear to me.

Save in the defense of my native State, I never desire again to draw my sword.

Be pleased to accept my most earnest wishes for the continuance of your happiness and prosperity, and believe me most truly yours,

(Signed) R. E. LEE.

On the same day he wrote to his sister, Mrs. Anne Marshall, of Baltimore. She and her family were loyal to the Union.

ARLINGTON, VIRGINIA, APRIL 20, 1861.

MY DEAR SISTER: I am grieved at my inability to see you. . . . I have been waiting for a 'more convenient season,' which has brought to many before me deep and lasting regret. Now we are in a state of war which will yield to nothing. The whole South is in a state of revolution, into which Virginia, after a long struggle, has been drawn; and though I recognise no necessity for this state of things, and would have forborne and pleaded to the end for redress of grievances, real or supposed, yet in my own person I had to meet the question whether I should take part against my native State.

With all my devotion to the Union and the feeling of loyalty and duty of an American citizen, I have not been able to make up my mind to raise my hand against my relatives, my children, my home. I have therefore resigned my commission in the Army, and save in defense of my native State, with the sincere hope that my poor services may never be needed, I hope I may never be called on to draw my sword. I know you will blame me; but you must think as kindly of me as you can, and believe that I have endeavoured to do what I thought right.

To show you the feeling and struggle it has cost me, I send you a copy of my letter of resignation. I have no time for more. May God guard and protect you and yours, and shower upon you everlasting blessings, is the prayer of your devoted brother,

R. E. LEE.

It will be noted in this letter that he does not assign as a

reason any belief in the pure motives and "stainless cause" of the Confederacy. He explicitly states that he is unable to raise his hand against his relatives, his children, his home.

Yet the very relative to whom he was writing was loyal to the Union; so far as his children were concerned, if they had been able to learn precepts of loyalty from their father, they might have sided with the Union; but there is no record of any such teaching on the father's part: his children serve as an excuse for his disloyalty. So far as his home is concerned: almost immediately we find him advising his wife, April 26 and 30, about leaving Arlington and seeking some place of safety. "I think therefore you had better prepare all things for removal, that is, the plate, pictures, etc.," he writes.² While, as we shall show later, the Union troops protected and preserved the home of the traitor, his letters to his wife show that his excuse to his sister, that he could not raise his hand against his home, is a poor one, since he chose the course that compelled him to abandon that home, and that long before the Union troops entered Virginia.

The reader must have been struck, in considering the two letters last cited, with Lee's liking for the phrase, "Save in defense of my native State, I never again desire to draw my sword."

We find this idea first set forth in his letter to his son, written on January 23, 1861: "If the Union is dissolved," he writes, "and the Government dispersed, I shall return to my native State and share the miseries of my people, and save in defense will draw my sword no more." We see, by studying this quotation and re-reading the whole letter of January 23, in the light of his close connection with the Confederacy, how, far from following Washington's injunction to discountenance "whatever may suggest even a suspicion that it [the Union] can in any event be abandoned," that the idea of disunion was cherished by Lee from the first.

In the phrase, "Save in defense of my native State, I never again desire to draw my sword," his easy honor found justification for siding with disunion, and what he evidently con-

² R. E. Lee's *Recollections*, p. 29.

sidered a perfect alibi for treason in an officer of the United States Army.

But we are not done with the letters Lee wrote on April 20. He wrote still another letter, to his brother, Captain Sydney Smith Lee, of the United States Navy, who also deserted his flag in order to fight for a Confederacy whose basic principle was human slavery. Lee wrote:

ARLINGTON, VIRGINIA, APRIL 20, 1860.

MY DEAR BROTHER SMITH: The question which was the subject of my earnest consultation with you on the 18th inst. has in my own mind been decided. After the most anxious inquiry as to the correct course for me to pursue, I concluded to resign, and sent in my resignation this morning. *I wished to wait till the Ordinance of Secession should be acted on by the people of Virginia;* but war seems to have commenced, and I am liable at any time to be ordered on duty which I could not conscientiously perform. To save me from such a position, and to prevent the necessity of resigning under orders, I had to act at once, and before I could see you again on the subject, as I had wished. I am now a private citizen, and have no other ambition than to remain at home. Save in defense of my native State, I have no desire ever again to draw my sword. I send you my warmest love.

Your affectionate brother,

R. E. LEE.

The italics in the letter are ours.

Here again we meet his alibi, "Save in defense of my native State, I have no desire ever again to draw my sword."

But, even more important than that oft-repeated statement is the sentence, "I wished to wait till the Ordinance of Secession should be acted on by the people of Virginia, but war seems to have commenced."

This statement in itself refutes the argument that Lee left the United States Army because Virginia had seceded. It is an acknowledgment on his part of the binding power of that reservation in the Virginia Secession Ordinance that "This Ordinance shall take effect and be an act of this day, when ratified by a majority of the votes of the people of this State

cast at a poll to be taken thereon on the fourth Thursday in May next, in pursuance of a schedule hereafter to be enacted."

Virginia was not out of the Union until May 23. Lee tendered his resignation from the United States Army on April 20; but, he it remembered, it was not accepted until April 25. It could not be a foregone conclusion, unless under some extraordinary circumstance, that, with her strong anti-slavery and anti-secession element, Virginia would secede. Lee's conduct was not actuated, therefore, by the secession of his beloved Virginia from his beloved Union, and those who so state argue from false premises and draw false conclusions.

We see that Lee, while wearing the uniform of an officer of the United States Army, until his hand was forced, was already bound to the Confederacy. His patriotism expressed itself by no word or act which might save the Union. To some, this may seem noble; but no true patriot will remain inert when the life of his country is at stake. Any act or word which would help the Union would have injured the Confederacy, so Lee never uttered the word, and left the deed undone.

Referring again to Lee's excuse to his sister, that he could not raise his hand against his relatives, children, and home, it is worth while to note here Mrs. Lee's attitude toward the Union. Maurice, in his book on Lee, sets forth this letter of Mrs. Lee to Mrs. W. H. Stiles, dated February 9, 1861, before Lee had reached home, when he was ordered to Washington from Texas. Mrs. Lee says:

Has all love for and pride in their country died at the South, that they are willing to tear her in pieces and *some* even to *exult* to see her glorious flag trailing in the dust? It should rather have drawn tears from their eyes. We have lived and fought and *prospered* under this flag for so many years, and though the South has suffered much from the *meddling* of Northern fanatics, yet do they expect to fare better now? Are there no rights and privileges but those of negro slavery? You by your situation are removed from any *active* interference, whereas *we* in the border states are so much annoyed that our slaves have become almost useless. In our own family we have lost numbers who have been decoyed off, and after my father's death we were preserved from

an outbreak excited by two abolitionists who were constantly over here (as we learned afterwards, one of whom I am happy to say is now in the penitentiary for fourteen years)—we were preserved I say by the *special* mercy of God. The *Tribune* and New York *Times* published the most *villainous* attacks upon my husband by *name* and upon my father's memory in language I would not pollute my lips by repeating, and yet after all these wrongs I would lay down my life could I save our "Union." What is the use of a government combined as ours is of so many parts, the *Union* of which forms its strength and power, if any *one part* has the right for any wrong, real or imaginary, of withdrawing its aid and throwing the whole into confusion as Carolina, who refuses all overtures for peace and imagines the world will admire her independence, whereas they laugh at her folly which is perfectly suicidal. You know my feelings are all linked with the South and you will bear with me in the expression of my opinion, but while there are many of the Northern politicians who deserve no better fate than to be *hung* as high as Haman, believe me that those who have been *foremost* in this Revolution will deserve and meet with the reprobation of the world, either North or South, for having destroyed the most glorious Confederacy that ever existed.³ [Italics in original.]

"I would lay down my life could I save our Union." Thus wrote the wife of Robert E. Lee, great-granddaughter of Martha Washington. How pusillanimous seem the words of her husband, written on January 23, "I shall mourn for my country." The gray mare is often the better horse.

Gamaliel Bradford, in his *Lee, the American*, quotes General Townsend, who was a witness to the interview between Lee and Scott. General Townsend was the Adjutant-General of the United States Army. His report is as follows:⁴

General Scott knew that he [Lee] was at Arlington Heights, at the house of his father-in-law, Mr. Custis, and one day asked me if I had seen or heard of him lately. I replied in the negative, except that he was on leave and at Arlington Heights. Said the general, "It is time he should show his hand and if he remains loyal should take an important command." I then suggested that I should write to Lee and ask him to call at the general's headquarters. "I wish you would," replied the general. The note

³ Maurice's *Lee*, p. 53.

⁴ P. 30.

was written and the next day, April 19, 1861, Colonel Lee came to the office. The general's was the front room of the second story. His round table stood in the centre of the room and I had a desk in one corner. The aides were in an adjoining room with a door opening into the general's. When Lee came in, I was alone in the room with the general and the door to the aides' room was closed. I quietly arose, keeping my eye on the general, for it seemed probable he might wish to be alone with Lee. He, however, secretly motioned me to keep my seat and I sat down without Lee having a chance to notice that I had risen. The general, having invited Lee to be seated, the following conversation, as nearly as I can remember, took place. Gen. Scott: "You are at present on leave of absence, Colonel Lee?"—Colonel Lee: "Yes, General, I am staying with my family at Arlington."—Gen. Scott: "These are times when every officer in the United States service should fully determine what course he will pursue and frankly declare it. No one should continue in government employ without being actively employed." (No response from Lee.)—Gen. Scott (after a pause): "Some of the Southern officers are resigning, possibly with the intention of taking part with their States. They make a fatal mistake. The contest may be long and severe, but eventually the issue must be in favor of the Union." (Another pause and no reply from Lee.)—Gen. Scott (seeing evidently that Lee showed no disposition to declare himself loyal or even in doubt): "I suppose you will go with the rest. If you purpose to resign, it is proper you should do so at once; your present attitude is an equivocal one"—Col. Lee: "The property belonging to my children, all they possess, lies in Virginia. They will be ruined, if they do not go with their state. I cannot raise my hand against my children."

Bradford, after stating this as apparently authentic, rejects the evidence of this high officer in the service of the United States, first, because General Townsend says April 19 instead of April 18. Speaking from memory, the confusion of dates is easy. Even so accurate a man as Alexander H. Stephens, in an entirely different matter, confuses these very same dates, writing the 18th instead of the 19th of April in his letter to Robert Toombs of April 25, 1861, just a few days later.

Bradford further argues that Lee would not have gone to Scott with "the poor, the paltry, the pitiful argument for

deserting his flag and his allegiance that the property of his children lay in Virginia."

In order to draw this conclusion, Bradford must ignore the letters Lee wrote on April 20, 1861. The only cause he assigns in those letters is, "I have not been able to make up my mind to raise my hand against my relatives, my children, my home."

It was the only reason he could give: he could not allege loyalty to his native State, for Virginia was still in the Union, and he was speaking to a loyal Virginian, with whom such an argument would have had no weight; nor could he betray his treason in stating the truth that he was already tied up with the Confederacy. The words "my relatives, my children, my home," are misquoted for obvious reasons in the *Confederate Veteran*,⁵ being changed to "my State, my home, my children."

The conversation between General Scott and Colonel Lee, as reported by General Townsend, is in exact accord with his letters. But Lee was quite inclined to fall back on his family when he desired to make a bid for sympathy. Two notable examples appear in the records, and while they occurred much later, we will cite them here, because they show how much Bradford mistakes the man when he concludes that such reasons would not have been alleged by Lee.

After the battle of Gettysburg, on August 13, 1863, Lee suggested his resignation, and Davis did not accept it. Thereupon Lee wrote to him the following letter: ⁶

HEADQUARTERS CAMP.

ORANGE COURT HOUSE, AUGUST 22, 1863.

HIS EXCELLENCY JEFFERSON DAVIS,

PRESIDENT CONFEDERATE STATES, RICHMOND:

MR. PRESIDENT: I have read with attention your letter of the 11th instant, and am grateful for your kind and partial consideration of my feeble services. I confess I am disappointed at your determination, but since you have so directed, I shall not continue the subject, but beg that whenever in your opinion the public service will be advanced, no matter from what cause, that you

⁵ Vol. I, p. 356.

⁶ O. R., Vol. 108, p. 1076.

will act upon the application before you. I am as willing to serve now as in the beginning in any capacity and at any post where I can do good. The lower the position, the more suitable to my ability, and the more agreeable to my feelings. Beyond such assistance as I can give to an invalid wife and three houseless daughters, I have no object in life but to devote myself to the defense of our violated country's rights.

With great respect, your obedient servant,

R. E. LEE,
General.

There is something peculiarly ignoble in the tone of this letter, and the introduction of wife and children into a letter written by a military commander to his chief is singularly out of place, but it supplies the evidence that Lee used them for his purposes, in spite of Bradford's argument to the contrary.

Charles A. Dana, Assistant Secretary of War, writing officially from City Point, April 12, 1865—10 a. m., to his chief, Hon. E. M. Stanton, concerning the surrender of Lee—says in part: ⁷

Gen. Grant had a long private interview with Lee, who said that he should devote his whole efforts to pacifying the country and bringing the people back to the Union. He had always been for the Union in his heart and could find no justification for the politicians who had brought on the war, whose origin he believed to have been in the folly of extremists on both sides. If General Grant had agreed to the interview he had asked for some time ago they would certainly have agreed on terms of peace then, as he was prepared to treat for the surrender of all the Confederate armies. The war had left him a poor man, with nothing but what he had upon his person, and his wife would have to provide for herself until he could find some employment.

This report of the Assistant Secretary of War shows again that tendency of Lee to bid for sympathy, and to make his family the basis for such pleas. ⁸

⁷ O. R., Vol. 97, p. 716.

⁸ The *National Republic* for October, 1927, p. 42, gives an interesting corroboration of this tendency of Lee to make a bid for sympathy. It

Lee, it will be remembered, in his letter to his daughter, states that letters "certainly present a good criterion for judging the character of the individual." From his letters of April 20 the reader must therefore be supposed to picture Lee, his resignation tendered (but not yet accepted), as a private citizen resting at Arlington, concerned only to draw his sword in defense of his native State when she might be invaded.

It is a touching picture, and we shall now consider how his acts tally with his written word.

publishes an account of Dr. William Cretchley, leader of the Third Brigade Band, Ninth Corps (Union), who describes serenading Lee in Richmond, after the surrender at Appomattox. He says in part:

"Lee sat reading a book, with his elbow on a table and his hand on his cheek. We played for almost an hour, but he never looked up. I said to Gill Case, one of the band boys, 'I guess the general doesn't appreciate our music.' 'Bill,' said Case, 'he ain't readin' that book; look sharp.' I did so and saw tears in Lee's eyes. I then said, 'Boys, we will play "Home, Sweet Home," and they did. I've heard it played a thousand times, but never as they played it that time. Lee then arose, took his daughter's arm and, with tears rolling down his cheeks, said, "Gentlemen, I don't know to whom I am indebted for this serenade; such inspiring music." Then he came and shook each member's hand; and when he came to me he introduced his daughter and said, 'Mr. Leader, I would ask you all in for refreshments, but my daughter and I are United States paupers, drawing rations three times a week.'"

CHAPTER XI

LEE IN THE CONFEDERACY AND HIS CONNECTION WITH THE SECESSION OF VIRGINIA

We closed our last chapter with the picture of Lee, reposing as a private citizen, on April 20, until such time as he might be called on to draw his stainless sword in defense of Virginia. His resignation was not tendered until April 20.

Yet, on Sunday, April 21, at Richmond, Virginia, we find the Advisory Council of three, appointed by the Virginia Convention, upon the nomination of the Governor, making certain recommendations, as follows:¹

The Governor having communicated with the Council and asked their advice in reference to the appointment of a commander of the military and naval forces of the state, in pursuance of an ordinance of the convention adopted the 19th of April, 1861, the Council do respectfully advise that the Governor tender to Col. Robert E. Lee the office of commander of the military and naval forces of Virginia, with the rank and authority expressed in the ordinance of the Convention, and that a special messenger be commissioned to communicate with Colonel Lee in the event of his appointment.

Thus it will be seen how narrow was the margin between the time he tendered his resignation and his recommendation as commander of the Virginia military forces, which had been put in control of the Confederacy by an act of the Convention, as we have already shown. The funeral baked meats which attended his mourning for his country at Arlington on April 20 had no difficulty in lasting until his union with another, for on April 22, 1861, we find the Virginia Secretary of State writing from Richmond to "His Excellency Jefferson Davis, President of the Confederate States of America: I am directed by the Governor to inform you that Colonel Lee is here. The Governor has sent in his nomination as commander

¹ O. R., Vol. 108, p. 21.

of the land and naval forces of Virginia, with rank of major-general. Nomination will be confirmed.”²

On April 23, with some ceremony, Robert E. Lee was made commander of the Virginia forces, and accepted in the following words:³

MR. PRESIDENT AND GENTLEMEN OF THE CONVENTION: Deeply impressed with the solemnity of the occasion on which I appear before you, and profoundly grateful for the honour conferred upon me, I accept the position your partiality has assigned me, though I would greatly have preferred your choice should have fallen on one more capable.

Trusting to Almighty God, an approving conscience, and the aid of my fellow-citizens, I will devote myself to the defense and service of my native State, in whose behalf alone would I have ever drawn my sword.

After having read his various letters of April 20, we are quite prepared for the ideas associated together in the last sentence, native State, sword, in whose behalf alone, etc. Lee was fond of associating those ideas together.

But his appointment as Major-General of Virginia forces, on April 23, has an interesting angle in the fact that Lee was still an officer in the United States Army. An officer who tenders his resignation is not out of the service until his resignation has been acted upon. Lee understood this fact well, as is shown by his letter to his wife, May 2, 1861, in which he says: “I have just received Custis’s letter of the 30th, inclosing the acceptance of my resignation. It is stated that it will take effect April 25th. I resigned on the 20th, and wished it to take effect that day. I cannot consent to its running on further, and he must receive no pay, if they tender it, beyond that day, but return the whole, if need be.”⁴ His resignation from the United States Army was accepted on April 25. He could not even wait until he was actually out of the Union Army, but with indecent haste took his “caitiff” way to Richmond, to make sure that he would be first in Vir-

² O. R., Vol. 108, p. 24.

³ R. E. Lee’s *Recollections of Lee*, p. 28.

⁴ *Ibid*, p. 30.

ginia, thereby beating Brigadier-General Joseph E. Johnston to that goal.

Virginia was not out of the Union at this time, though the Virginia Convention had passed the Secession Act on April 17. We are indebted to Alexander H. Stephens, Vice-President of the Confederacy, for information concerning the adoption of the various ordinances which put Virginia into the control of the Confederacy before the popular vote on May 23. Stephens was sent as a Commissioner from the Confederate States to Virginia to seduce her from her allegiance to the Union. His letters and dispatches at that time are of much importance.

In the evening of the day when Lee had been made commander of the land and naval forces of Virginia with the rank of major-general, Stephens had an interview with Lee, in which the latter's future rank in the Confederate Army was discussed. The highest rank at that time in the power of the Confederacy to confer was brigadier-general, which had already been conferred on Lee, as we have shown, and Lee held the rank of major-general in Virginia. The question was, would Lee consider a lower rank? Stephens describes the interview in a letter, as follows:⁵

I unfolded to him with perfect candour the object of my mission [alliance of Virginia with the Confederacy], the nature of the alliance I should propose, and particularly the effect it might have upon his official rank and position. There was on his part equal candour and frankness — no reserve whatever. He understood the situation fully. With a clear understanding of its bearing upon himself individually, he expressed himself as perfectly satisfied, and as being very desirous to have the alliance formed. He stated in words which produced thorough conviction in my mind of their perfect sincerity, that he did not wish anything connected with himself individually, or his official rank or *personal* position, to interfere in the slightest degree with the immediate consummation of that measure. [Italics in original.]

This letter shows that Lee understood fully that in accept-

⁵ White's *Robert E. Lee*, p. 105.

ing the command of the Virginia forces he was aligning himself with the Confederacy. But another letter of Stephens, written to Robert Toombs, Secretary of State, on April 25, 1861, gives further proof of Lee's active influence to force Virginia to secede from his beloved Union. The letter, being in the nature of a report as Commissioner, contains much information, and we cite it in full: ⁶

After receiving your letter of instruction, with other papers relating to my mission to the Commonwealth of Virginia, on the 18th [19th] instant, I left Montgomery forthwith and proceeded without delay to this place, where I arrived Monday, the 22nd instant. I presented myself, with letter of credence, to Hon. John Letcher, Governor of the Commonwealth, who communicated the same immediately to the State convention, then in session. That body on the same day passed a resolution, a copy of which is herewith sent, inviting me to meet them in session at such time as would suit my convenience. The hour designated was 1 o'clock the next day, Tuesday, the 23d instant. At the appointed time I met the convention in secret session with the Governor, Executive Council, Major-General Lee (the commander-in-chief of the State forces), and some other invited persons present. To the convention I urged the great importance of an immediate union of the Commonwealth with the Confederate States under our Constitution for Provisional Government, with a view to a permanent union under our permanent Constitution. I also urged strong reasons for an immediate conventional agreement between the two governments before such union could take place, particularly in relation to the military forces and military operations.

By another resolution, a copy of which is herewith sent, the convention appointed a committee of five of its own members, headed by ex-President John Tyler, to confer with me upon the subject.

After conference and full explanation on my part of our Constitution for Provisional Government the committee determined to report to their body an ordinance adopting that Constitution, which was subsequently passed, a copy of which will also be found accompanying this dispatch. In further conference with the committee a convention between the Commonwealth and Confederate States, temporary in its character, and to have effect in

⁶O. R., Vol. 127, p. 242.

the interval between the time of its ratification and the contemplated union of said Commonwealth with our Confederacy, was agreed upon and signed by us. This was done on the 24th instant. By its terms it is to be ratified by both governments before it is to take effect. The ratification on the part of the Government here has just taken place, and I now have the honor of inclosing the convention so agreed upon, with the resolution of ratification, with this dispatch. Of the importance of this arrangement at this particular juncture of our public affairs I need not now speak nor of the embarrassments and difficulties in getting it effected.

Hoping, however, that what has been done will meet the approval of the President and Congress, I submit the whole without further comment or remark.

It will be seen from this report that Lee was one of those in secret session planning how to get Virginia out of the Union and into the Confederacy.

On the same day Stephens sent a message to Jefferson Davis. It is a brief summary of the acts of the convention referred to in his letter to Toombs. The message said :⁷

Convention between the Confederate States and the Commonwealth of Virginia ratified. All military forces and military operations of the Commonwealth in the present common impending danger to be under the chief control of the President of the Confederate States of America immediately upon the same principles, basis, and footing as if said Commonwealth was a member of the Confederacy and the Constitution for the Provisional Government. The convention has passed an ordinance adopting our Provisional Constitution. Delegates will be sent to the Confederate Congress on its meeting. I give you substance; particulars by mail. Will requisition be made for volunteers on the Executive of Virginia, as has been done on other Confederate States? Let me hear immediately. I am exceedingly gratified at the result of my mission.

But, although to all intents and purposes Virginia was in the Confederacy by these secret acts, brought about by the conspirators, of whom Lee was one, still, by her own Secession

⁷ O. R., 108, p. 32.

Ordinance, she could not truly be out of the Union until May 23, when the people were to speak.

On April 24, the day after he assumed command of the Virginia forces, Lee wrote to General P. St. George Cocke, saying in the letter: "Let it be known that you intend no attack, but invasion of our soil will be considered an act of war."⁸

Shortly thereafter the tramp, tramp of armed invaders was felt on the soil of Virginia. Now was the time for Robert E. Lee to draw his "stainless sword" to protect the rights of the people of Virginia and to stay the invaders. Now could his true nobility shine forth in guarding his native State, save in whose defense he had no desire ever again to draw his sword.

Thomas Nelson Page said of Virginia, it will be remembered, that "Troops were already marching on her. The State of Lee did not make war." But the ruthless invaders of the soil of Virginia were *Confederate troops* ordered there by the Confederate Secretary of War from the other slaveholding States, and at their head was Robert E. Lee, under an order from the Confederate Secretary of War of May 10, 1861:⁹

TO MAJ. GEN. R. E. LEE: To prevent confusion, you will assume the control of the forces of the Confederate States in Virginia, and assign them to such duties as you may indicate until further orders, for which this will be your authority.¹⁰

L. P. WALKER,
*Secretary of War.*¹¹

⁸ O. R., Vol. 2, p. 777.

⁹ O. R., Vol. 2, p. 827.

¹⁰ There are many letters and orders which show that the Confederate Government, from the moment the Virginia convention passed the Ordinance of Secession, April 17, 1861, was preparing to send troops into Virginia. As early as April 19, 1861, Secretary of War Walker states that 2,000 troops had been ordered to Virginia from South Carolina (O. R., Vol. 108, p. 16); and on April 22, 1861, Governor F. W. Pickens states that these troops are on their way to Richmond (O. R., Vol. 127, p. 233). On April 22 and 23, 1861, the Confederate Secretary of War requisitioned 2 regiments from Georgia; 2 from Alabama; 2 from Mississippi; 3 from Tennessee; and 1 each from Kentucky, Arkansas, and North Carolina: these troops to rendez-vous in Virginia (*Ibid.*, pp. 231-233). On April 25 2 regiments were requisitioned from Louisiana (O. R., Vol. 108, p. 33).

¹¹ On April 25, 1861, F. H. Smith, one of the Advisory Council of three

So, thus the stage was set by the Confederacy for the people of Virginia to reject or to ratify the ordinance of secession. It was not enough that the Virginia troops should be under the command of the Confederates. Armed troops from other States of the Confederacy poured into Virginia, and Lee became the commander of the invaders as well as of the State troops. So, bristling with Confederate bayonets, Virginia voted on secession and ratified the ordinance. But, as Lincoln expressed it, "Where the bayonets are all on one side of the question voted upon, it can scarcely be considered as demonstrating popular sentiment. At such an election all that large class who are, at once, for the Union and against coercion would be coerced to vote against the Union." This coercion will be better understood when it is remembered that the ballot was not secret at that time, but *viva voce*. How many loyal men dared to announce their votes for the Union when Confederate bayonets threatened them for their loyalty!

This, then, is the manner in which Lee deserted the Union because Virginia left it, as Bradford asserts. Lee may have followed Virginia out of the Union, but he first prodded her out with the bayonet.

It was not until after the popular vote on secession, May 23, that Union troops entered Virginia; but May 24 found them on Virginia soil, and there they stayed; not all the skill or cunning of Lee and his confederates could prevail to free Virginia from Union troops after she seceded.

The record has been clearly written all these years that Lee did not leave the Union because Virginia seceded, but was, in fact, one of the conspirators who forced secession upon his State. Loyalty to the truth of Confederate history should

in Virginia, sent the following communication to "General Lee": (*Ibid.*, p. 37.)

"General: A telegraph from President Davis notified the Governor a few days ago that he has made a requisition for thirteen regiments, to rendez-vous at Lynchburg without delay. The Governor replied not to forward them until you should be vested with the command. The Governor suggests that you take up the consideration of communicating with President Davis on the subject at once."

This communication is irrefutable corroborative proof that the Confederate ringleaders had early knowledge that Lee would be disloyal before he resigned from the United States Army.

have revealed the fact long ago, but when the whole present-day apology for the Confederacy is built on the false assumption of State Rights, meaning thereby State sovereignty and the right to secede, in order to make Lee appear noble, the fact that he was one of the most active in subverting the rights of the people of Virginia and of coercing Virginia out of the Union must be suppressed, and the date, April 17, must be used instead of May 23, as the day of her secession.

It was not, therefore, loyalty to his native State which took the noble Lee out of the Union: he was as disloyal to her as to the Union, both of whom he professed to love. What was it, then, that actuated him?

He did not believe in slavery, the cornerstone of the Confederacy. By prodding and coercing Virginia into the Confederacy, he was not thrusting her into a Government where State Rights and State Sovereignty were established principles, for, as we know, and as he knew, too, the Confederacy excluded both of these ideas as destructive to its existence.

A careful study of his letters and of his acts reveals the truth: Lee never believed the Union would fight for its preservation. The weak Buchanan had drifted along without any effort to stay the dissolution of his Government. The slave-holding States had seized Government property of all kinds; yet the powers at Washington seemed to slumber while the seceding States were starting off, with a loud hurrah, in a new confederation. Lee decided to leave a sinking ship and to ally himself with the apparently sturdy new ship of state, under the Confederate flag. Hence all his willingness to mourn for an expiring and dead Government. His letters all show that he was imbued with the idea that the Government would not continue to exist. Hence his secret alliance with the Confederacy, through which they were assured of his joining them, which led to the order of March 15, 1861, appointing him a brigadier-general in the Confederate service.

The inexperienced Lincoln was to take the helm, and it was the opinion throughout the South, which had been arming for a possible day of reckoning, that the North would not take arms to maintain the Union. So, Lee was safe to renew his

oath of allegiance to the Union on March 30. Then, when Virginia and the other States were safely out of the Union, he would go with Virginia, and draw his sword, as we have so often heard, only in her behalf.

There was one flaw in his plan. Abraham Lincoln, after Fort Sumter was fired upon, called for 75,000 men to maintain the Union. Lee was caught in his own snare. He had accepted the commission of Colonel of Calvary on March 30, but he was too deep in the schemes of the Confederacy to withdraw from it and go with the Union, for proofs of his duplicity would be too evident for him to be long a trusted commander in the Union Army; so, torn, no doubt, by remorse that he had allied himself against the Union, which was now girding its loins for the fray, he did all that was left for him to do, and that was, make what speed he could to Richmond and take what was offered there, and, with what power he could muster against the rights of her people, to force Virginia out of the Union and into the despotic Confederacy. The secession of Virginia was important to him from the moment he knew the Union would fight for its preservation; hence his use of arms to gain his ends and that of the slaveholders' Confederacy.

This is the history, written by his record, upon which is based his right to rank as an exemplar of all the virtues of patriotism. This is the man whom President Coolidge describes as "marked with a purity of soul and a high sense of personal honor which no true American would ever stoop to question."

This is the man for whom Congress, in March, 1925, voted to have Arlington restored as a tribute to his memory.

This is the man in whose honor a Republican Congress of the United States, without a dissenting vote, passed a bill, which was signed by the Republican President, Calvin Coolidge, and which authorizes the minting of coins of the United States which bear his likeness and that of "Stonewall" Jackson.

No such honor has ever been bestowed upon a soldier who fought for the Union. This honor, which should be a high

reward of patriotism, is not given as a tribute to loyalty, but to him who, the records show, by neither word nor act did anything to save his country, but by duplicity, coercion, and treason used every means within his grasp to destroy the Government which thus honors him today. This honor places a premium on disloyalty and wraps a false halo around the brow of the apostate Lee, and in so doing dishonors every patriot heart and every Union soldier who, when his country cried aloud, "Who will help me in my hour of peril and my time of need?" answered loyally, "I will "

CHAPTER XII

LOYAL AMERICA

Lee was not the only officer, of course, who deserted his country in its hour of peril. A great many Southerners were officers in the defensive forces of the United States, and it was the desertion of these Southerners that weakened the Union forces at the beginning of the Civil War.

On July 1, 1861, Secretary of War Simon Cameron, in his report to President Lincoln, refers to "The demoralization of the Regular Army caused by the treasonable conduct of many of its commanding officers."¹

Lincoln, in his message to Congress on July 4, refers to this fact, too. He says, "Officers of the Federal Army and Navy had resigned in great numbers, and of those resigning a large proportion had taken up arms against the Government."²

Again, in the same message, finely contrasting loyalty and disloyalty, he says:³

This is essentially a people's contest. On the side of the Union it is a struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men—to lift artificial weights from all shoulders; to clear the paths of laudable pursuit for all; to afford all an unfettered start and a fair chance in the race of life. Yielding to partial and temporary departures, from necessity, this is the leading object of the Government for whose existence we contend.

I am most happy to believe that the plain people understand and appreciate this. It is worthy of note that while in this, the Government's hour of trial, large numbers of those in the Army and Navy who have been favored with the offices have resigned and proved false to the hand which had pampered them, not one

¹ O. R., Vol. 122, p. 304.

² O. R., Vol. 122, p. 312.

³ Pp. 319-320.

common soldier or common sailor is known to have deserted his flag.

Great honor is due to those officers who remained true, despite the example of their treacherous associates; but the greatest honor, and most important fact of all, is the unanimous firmness of the common soldiers and common sailors. To the last man, so far as known, they have successfully resisted the traitorous efforts of those whose commands but an hour before they obeyed as absolute law. This is the patriotic instinct of plain people. They understand, without an argument, that the destroying the Government which was made by Washington means no good to them.

There were conspicuous examples of loyalty even among the Southerners. General Winfield Scott, a Virginian, and Commander-in-chief of the Army at the outbreak of the war, was a fine example of patriotism. In a dispatch sent to the Confederate Secretary of War on April 24, 1861, are the words, "General Scott is determined to stand by the Union and his oath." ⁴

He was determined to stand by the Union and his oath! Quibble as the Confederate apologists may, the same obligation of loyalty rested on every other officer in the Army and Navy, else their word was false as dicers' oaths.

Secretary Cameron, in his report just referred to, contrasts the disloyalty of Brigadier-General Twiggs, in Texas, with the loyalty of Major Robert Anderson, a Kentuckian. The Confederates had counted on Anderson to side with them, and their disappointment was apparent when he refused to surrender the Government property in his charge, Fort Sumter, but valiantly defended it. Secretary Cameron says: ⁶

In Texas the large forces detailed upon the frontier for the protection of the inhabitants against the attacks of marauding Indians were ignominiously deserted by their commander, Brigadier-General Twiggs. To the infamy of treason to his flag was added the crowning crime of deliberately handing over to the armed enemies of his Government all the public property in-

⁴O. R., Vol. 108, p. 29.

⁶O. R., Vol. 122, p. 302.

trusted to his charge, thus even depriving the loyal men under his command of all means of transportation out of the State.

A striking and honorable contrast with the recreant conduct of Brigadier-General Twiggs and other traitorous officers has been presented in the heroic and truly self-sacrificing course pursued by Major Robert Anderson and the small and gallant band of officers and men under his command at Fort Sumter.

The contrast in the conduct of the common soldiers and disloyal officers, as stated by President Lincoln, has no better example than that of Brigadier-General Twiggs and the soldiers of his command, which resulted in the following orders: ⁷

GENERAL ORDERS, WAR DEPT. ADJT. GENERAL'S OFFICE,
No. 5. WASHINGTON, MARCH 1, 1861.

The following order is published for the information of the Army:

WAR DEPARTMENT,
MARCH 1, 1861.

By the direction of the President of the United States it is ordered that Brig.-Gen. David E. Twiggs, major-general by brevet, be, and is hereby, dismissed from the Army of the United States for his treachery to the flag of his country in having surrendered, on the 18th of February, 1861, on the demand of the authorities of Texas, the military posts and other property of the United States in his department and under his charge.

By order Secretary of War.

J. HOLT,
Secretary of War.

S. COOPER,
Adjutant General:

Now, these troops under his command had been promised safe-conduct out of the State, but were treacherously seized and imprisoned. Several years later the following order was issued concerning some of these same common soldiers: ⁸

⁷ O. R., Vol. 114, p. 9.

⁸ O. R., Vol. 114, p. 104.

GENERAL ORDERS,
No. 34.

HDQRS. DEPARTMENT OF THE GULF,
NINETEENTH ARMY CORPS.

OPELOUSAS, APRIL 25, 1863.

Sergeants Brady, Stapleton, McCormick, Reinhardt, Sheble, Neal, Harris, Darker, Brannan, and 269 men of the Eighth Infantry, Army of the United States, whose names are affixed, having been exchanged by the rebel government whose prisoners they were, arrived at New Orleans on the 25th of February, 1863, and a portion of them, under command of Lieut. Copley Amory, Fourth Calvary, reached this point on the 23d instant, to share with us the honors of this campaign. It has been deemed but an act of justice to these gallant men to relieve them from this service and to expedite their return to the North. They separate from the command this day. In honor of their departure the commanding general has ordered a national salute, and a similar honor will be paid them at their departure from New Orleans. Captain Bainbridge at Opelousas and Brigadier-General Sherman at New Orleans are charged with the execution of this order.

These troops were shamefully and unconditionally surrendered to the rebel authorities in Texas by their commanders on the 9th day of May, 1861. Separated from their officers, divided into squads, and removed to different posts on the frontiers of Texas, deprived of pay for more than two years, they were subjected to degrading labors, supplied with scanty food and clothing, and sometimes chained to the ground or made to suffer other severe military punishments. Recruiting officers visited them daily, offering them commissions and large bounties to desert their flag. Notwithstanding the false reports of the overthrow of their Government, which seduced so many men of higher pretensions and position, unsustained by counsel with each other, with few exceptions they repelled the bribes and avoided the treason. Those who chose a different course did it to escape their prison.

No government ever had more loyal supporters. Officers of the Army and Navy, to whom they had a right to turn for counsel and example, who had been educated by the Government, who never received a month's pay that was not drawn from its coffers, nor bore an honor that it did not confer, at the first suggestion of treason betrayed the mother that nursed them, and deserted the flag that protected them. With every branch of the Government within their control and the continent under their feet they yielded to the indecency and folly of the rebellion,

and without a shadow of cause sought to blacken the name of America and Americans by fastening upon them the greatest crime of human history — that of destroying the best government ever framed, and annihilating the hopes of the human race in republican liberty. Thank God! the officers could not corrupt the men they commanded. Not a soldier nor a sailor voluntarily abandoned his post. The poisonous subtleties of secession never touched the hearts of the people, nor led them to substitute the guilty ambition of popular, vulgar, low-bred provincialism for the hallowed hopes of national patriotism.

Soldiers, let the gallant men that part from us to-day receive the honors they deserve. Let them hear the peal of cannon and the cheers of the line. Let them receive, wherever they go, the homage of the Army and Navy together. The Army and Navy forever!

By command of Major-General Banks:

RICHARD B. IRWIN,
Assistant Adjutant-General.

The plain people, the common people, loved their country, and they did not love slavery. This was true in the slaveholding States, and that is why the armed troops of the Confederacy invaded Virginia; why coercion was necessary in order that Virginia might become a member of the slaveholders' newly formed government; why it was necessary to blind the people and mislead them by the terms State Rights and State Sovereignty, which were used to conceal the fact that the basic principle of the Confederacy was slavery. The plain people were the weakness of the slaveholders' Confederacy and the strength of the Union.

CHAPTER XIII

GENERAL GEORGE H. THOMAS

At the time of the outbreak of the Civil War there was another man who, like Lee, was a Virginian; like Lee, he had been educated at West Point; like Lee, he was an officer in the United States Army; like Lee, he owed the same allegiance to the United States; like Lee, he was tempted to betray his country. The same inducements for loyalty and the same seductions of treason confronted him as confronted Robert E. Lee; but the steadfast soul of George H. Thomas never swerved nor faltered from devotion to his flag and to his country.

George Henry Thomas was born in Southampton County, Virginia, July 31st, 1816, and was, therefore, nine years younger than Lee. His mother was a Miss Rochelle, of Huguenot ancestry.

He had intended to become a lawyer, and, with this in view, he had commenced to study law in the office of his uncle, James Rochelle, when he was offered a cadetship at West Point. He accepted promptly and entered the Military Academy on June 1, 1836, graduating in June, 1840, ranking twelfth in a class of forty-two members. In this same class General W. T. Sherman ranked sixth.

Like Lee, after graduation Thomas saw service in various parts of the country, starting at Fort Columbus, New York, where he was a second lieutenant in the Third Artillery.

In the Seminole War in Florida he distinguished himself: among other achievements, he was with Major Wade in the capture of seventy Indians on November 6, 1841, and "was breveted first lieutenant from that date 'for gallantry and good conduct in the war against the Florida Indians.'" ¹

¹ Van Horne's *Life of Thomas*, p. 4.



MAJOR-GENERAL GEORGE H. THOMAS

From a war-time photograph of the collection of S. F. Stewart, Esq., who was a private and the last sergeant-major of the 31st Ohio Veteran Volunteers, and who served under General Thomas during the first three years of the war. He says this picture is a good likeness of General Thomas. It shows him wearing the coat of a brigadier-general and the shoulder straps of a major-general, which indicate that the photograph was taken after April, 1862.

General Thomas was a decided blond. This is shown by his beard, which was not then gray, and had no visible tinge of red.

In the next few years he was at various posts, and was promoted to first lieutenant on April 30, 1844. In the Mexican War he, like Lee, rendered distinguished service. After the battles about Monterey he was breveted captain "for gallant and meritorious conduct."²

General Henderson reports his conduct thus:

I beg leave also, under the authority of General Lamar, to compliment Lieutenant Thomas of the artillery and his brave men for the bold advance and efficient management of the force under his charge. When ordered to retire he reloaded his piece, fired a farewell shot at the foe and returned under a shower of bullets.³

Thomas was one of those whom General Twiggs particularly commended as deserving "the highest praise for their skill and good conduct under the heaviest fire of the enemy, which, when an opportunity offered, was concentrated on them."⁴

After the battle of Buena Vista, February 22-3, 1847, Thomas was breveted major "for gallant and meritorious conduct." Different superior officers commended him after this battle. He was included by name among the subalterns of artillery of whom General Zachary Taylor said: "They were nearly all detached at different times, and in every situation exhibited conspicuous skill and gallantry."⁵

Captain T. W. Sherman reports:

I was directed to take my battery back to the plateau, where I joined Lieutenant Thomas, who had been constantly engaged during the forenoon in the preservation of that important position, and whom I found closely engaged with the enemy, and that, too, in a very advanced position. . . . Lieutenant Thomas more than sustained the reputation he has long enjoyed in his regiment as an accurate and scientific artillerist.⁶

General Wool pays this tribute to the artillerists, including Thomas:

² *Ibid.*, p. 5.

³ *Ibid.*, pp. 5-6.

⁴ *Ibid.*, p. 5.

⁵ *Ibid.*, p. 6.

⁶ *Ibid.*

I also desire to express my high admiration and to offer my warmest thanks to Captains Washington, Sherman and Bragg, and Lieutenants O'Brien and Thomas, and their batteries, to whose services at this point and on every part of the field, I think it but justice to say we are mainly indebted for the great victory so successfully achieved by our arms over the great force opposed to us — more than twenty thousand men, and seventeen pieces of artillery. Without our artillery we would not have maintained our position a single hour.⁷

These justly deserved words of praise show that, from the beginning of his military career, George H. Thomas was an officer whose courage and steadfastness could be depended upon.

After the Mexican war, his military service again took him to different parts of the country, and, again like Lee, he was at West Point for a while, as instructor of artillery and cavalry, from March, 1851, to December 24, 1853, when he was promoted to captain of artillery.

While at West Point, on November 7, 1852, he married Miss Frances L. Kellogg, of Troy, New York. Van Horne, in his *Life of General George H. Thomas*, says, concerning his marriage: "In this relation, as in all others, there was the same commingling of the highest and purest sentiment, and a rigid regard for duty. His home life realized the highest ideals from first to last."⁸

On May 12, 1855, he was appointed major of the Second Cavalry. This regiment was but newly formed, and the officers were appointed by Jefferson Davis, then Secretary of War. Van Horne makes the following interesting comment on the officers of the Second Cavalry:

Southern officers were particularly prominent in the Second Cavalry. In May, 1855, the four field officers and many others were natives of slave-holding States. Albert Sidney Johnston was colonel; Robert E. Lee, lieutenant-colonel; W. J. Hardee was senior major; and George H. Thomas, junior. At the opening of the war twenty-five officers of this regiment were graduates

⁷ *Ibid.*

⁸ *Ibid.*, p. 10.

of West Point, and of these seventeen were natives of the South. They were not only Southern men, but the best representatives of that section in the army. As evidence of the military talent thrown into the Second Cavalry by Mr. Davis, it may be mentioned that it furnished seventeen generals for the war, of whom twelve were in the Confederate service. Four of these generals commanded large armies, and four others had independent commands with large forces.⁹

General Thomas, in the light of future developments, felt that he was put into the Second Cavalry because it was supposed that he would go with the Confederacy. But for once, at least, the proverb that a man is known by the company he keeps was false, for, though surrounded by those who were disloyal, he remained true.

He was with the Second Cavalry, mostly in Texas, until November, 1860, when he was granted a leave of absence. On reaching Washington, he reported to General Scott that he was convinced that General Twiggs meditated treachery; also General Joseph E. Johnston.¹⁰ That he was correct, was amply proved by the subsequent conduct of those two officers. It shows, too, how keen he was in judgment of men, and how quick to follow Washington's injunction to watch for the preservation of the Union with jealous anxiety.

On his way to Washington, near Norfolk, while jumping from a moving train, his spine was seriously injured, so that he was unable to travel for six weeks. He never entirely recovered from this injury, and it was the cause of his slow bodily movements thereafter.

So serious was this accident, that, for some time, it was doubtful if he could return to active army service, and at this time he made application for a position, January 18, 1861, in the Virginia Military Institute. By the time March had arrived, Thomas, still a major, refused the appointment of Governor Letcher to be Chief of Ordnance of the State of Virginia. He says, writing from New York, March 12, 1861, to Governor Letcher:

I received yesterday a letter from Major Gilham, of the Vir-

⁹ *Ibid.*, p. 12.

¹⁰ *Ibid.*, p. 20.

ginia Military Institute, dated the 9th instant, in reference to the position of chief of ordnance of the State, in which he informs me that you had requested him "to ask me if I would resign from the service, and if so, whether that post would be acceptable to me." As he requested me to make my reply to you direct, I have the honor to state, after expressing my most sincere thanks for your very kind offer, that it is not my wish to leave the service of the United States as long as it is honorable for me to remain in it; and therefore as long as my native State, Virginia, remains in the Union, it is my purpose to remain in the Army unless required to perform duties alike repulsive to honor and humanity.¹¹

Then came April, and his flag was fired upon at Fort Sumter. He had the same decision to make that Lee had, loyalty or disloyalty. He did not hesitate. He himself says his duty was clear from the beginning. He chose loyalty to the Stars and Stripes, and not to the alien flag that stood for a new and sinister government on the territory of the United States.

So, while Lee, with indecent haste, before he was yet out of the Army of the United States, was busy at Richmond with those schemes so subversive to his country and so aggrandizing to himself, George H. Thomas was busy recruiting troops for the service of the Government. Assistant Adjutant-General F. J. Porter, in his report of May 1, 1861, covering the April activities, thus refers to Thomas:

The officers accompanying Major Thomas were, without exception, Southern men. They were all anxious, excited, in doubt as to what should be their immediate action, and gloomy as to the future. They had their private conferences, and evidently looked to Major Thomas' action as their present guide. I knew Major Thomas' views. I had no doubt of his course. But I did fear that some if not all his subordinates would tender their resignations and ask to be left behind. One officer had done so before leaving Carlisle Barracks, and had gone to his home in Maryland. Just before entering the cars which were about to start, one of them turning to Major Thomas, and in hearing of all the others and of Col. Porter and myself, asked: "What shall we do?" Promptly came the reply, "We are ordered to

¹¹O. R., Vol. 107, p. 317.

Washington, and there we go. There will be time enough after getting there for you to decide what to do.”¹²

Thus, at the very beginning, an officer of high rank writes of Thomas, “I had no doubt of his course.” His patriotism stood the severest test.

General R. W. Johnson, in his *Memoir of Major-General George H. Thomas*, says:¹³

It should be borne in mind that an officer born in one of the Southern States had to antagonize himself to all his kindred, and sever all those endearing ties of friendship and relationship which are so dear to every member of the human family. To place one's self in such a position required patriotism of a high order. Such was Thomas's loyalty to his country that he said, “If these ties can only be preserved on the condition of my abandonment of the government for which my forefathers fought, bled, and died, then let them be severed”; and the resolution was carried out, the government securing the services of a brave and devoted soldier, without a superior and with few equals.

In July, 1861, Colonel Thomas, in defense of his country, entered Virginia, and on July 2 took part in the engagement at Falling Waters.

This engagement, though but little known, is of interest for several reasons: it was the first real battle of the Civil War, although there were not many troops engaged; two men, destined to rise high in the service each espoused, opposed each other, “Stonewall” Jackson and George H. Thomas; the result was decisive, and the Union victory complete.

Thomas' report is valuable, and, like all the many reports he was destined to make later, it is singularly lucid, though brief. He says:

SIR: I have the honor to submit the following report of the operations of the First Brigade, under my command, in the encounter with the enemy on the 2d instant. About one mile in advance of Falling Waters, on the road from Williamsport, Md.,

¹² O. R., Vol. 107, p. 351.

¹³ P. 246.

to Martinsburg, Va., Colonel Abercrombie, in command of the leading brigade, was met by the enemy, who had taken a position in a body of timber, and opposed his advance with much determination, using both artillery and infantry. My brigade being the next, I brought it into line on the left of the road, one section of Perkins' Battery being thrown forward, supported by the Twenty-Third Regiment Pennsylvania Volunteers (Colonel Dare), completely outflanking the enemy's right. After a few discharges from the artillery the enemy retreated, hotly pursued both by Abercrombie's Brigade on the right of the road, and mine on the left, for more than three miles. The Twenty-first Regiment Pennsylvania Volunteers (Colonel Ballier) deployed as skirmishers, supported by the Sixth, Colonel Nagle, passed over their camp, which had been abandoned in much disorder and haste.

The Artillery, supported by the Twenty-third Pennsylvania Volunteers, advanced along the road, until halted by the general's orders, and my brigade went into camp upon part of the ground previously occupied by the enemy on Hoke's Run. Two companies of the Second Cavalry, Captains Whiting and Royall, were held in reserve, as I hoped that I might have an opportunity of charging the enemy after the retreat commenced; but no such opportunity was offered, on account of the broken and wooded nature of the country over which we had to operate.

There were no casualties in my brigade. One hundred and fifty tents were found in the enemy's camps and destroyed; also a large quantity of forage, as we had no means of transporting either. It gives me much pleasure to say that the troops behaved with the utmost coolness and precision during the engagement. I herewith submit reports of Captains Perkins and Hudson, in command of separate sections of artillery.¹⁴

In this admirable report, Thomas says "the troops behaved with the utmost coolness and precision during the engagement." This is a most significant statement. It shows that from the beginning he inspired his command with the steadfastness which was in his own soul. Thus, this minor engagement of Falling Waters was big with portent, and was the first of the unbroken record of success which is the abiding greatness of George H. Thomas, and which established the

¹⁴ O. R., Vol. 2, pp. 179-180.

dependability of the Army of the Cumberland and his beloved Fourteenth Corps.

It is not the province of this book to fight the battles of the Civil War again, but only to refer to them as they establish connection between present-day propaganda and the past.

Thomas was honorably ambitious, but he would not accept promotion at the sacrifice of what he considered another's right to the rank. He was equally quick to maintain his own rights. As Van Horne puts it, "He was modest and he was eager for an independent command, but he was not so modest as to underrate himself nor so eager for the command of an army, as to desire it, when involving injustice to another general." ¹⁵

Thomas' letters are entirely lacking in that mock-humility which mars Lee's correspondence with Jefferson Davis. In this, as in other things, the contrast between the two men is great.

There are few records as clean as that of Thomas; few men who would have refused promotion because it was rightfully another's, as he did; few men who would have remained so steadfast when just recognition was withheld, as he did.

After Falling Waters, and after he had been transferred to Kentucky as a Brigadier-General of Volunteers under General Robert Anderson—the same officer who had so valiantly defended Fort Sumter—there were four engagements which gave to General Thomas the right to the front rank in the world's successful commanders. These engagements were: Mill Springs, Stone River, Chickamauga, and Nashville. But throughout the whole course of the war he showed a judgment and a knowledge of the science of war unexcelled by any other commander.

We, who have lived through the World War, know the meaning of the term "man power." Probably in no war was this most valuable asset of a country more wasted and sacrificed than in the last great war. Men seemed to have been regarded as no more to be considered than the shots they fired. Yet, every life thus wasted destroyed the man power of a country and weakened her defense to that extent.

¹⁵ Van Horne, p. 76.

The greatest lesson that General Thomas' military skill has taught is the value of the individual soldier to his country. He never wasted his man power; he conserved it. As Van Horne concisely puts it: "He often delayed . . . until he could perceive the conditions of success."¹⁶ This was most apparent at Nashville. When he perceived the conditions of success, he struck, and struck under such circumstances that his men would not be needlessly sacrificed, and his victory was overwhelming and complete. No mother whose son died in battle under General Thomas could feel that his life was a needless sacrifice upon the altar of his country.

A second lesson his record teaches is the danger of dividing a command, so that its separate parts might fall an easy prey into the hands of the enemy, when united it would be invincible. He stood always for concentration of power, and it was sheer luck, more than once, when his advice was overridden, that detached Union commands were not captured by the enemy.

The third lesson he teaches is to hold the ground attained, if possible: withdrawal, no matter for what reason, heartens the enemy and discourages the retiring troops. It is reported of him that in a midnight conference of commanders, after the first day of the battle of Stone River, he fell asleep. The other commanders were planning to withdraw, and Thomas was awakened in order to be asked: "Will you protect the rear on retreat to Overall's Creek?" He answered promptly, "This army can't retreat," and fell asleep again. And the army did not retreat.¹⁷

Between the battles of Chickamauga and Missionary Ridge, while Thomas was holding Chattanooga, on October 19, 1863, Grant telegraphed to him: "Hold Chattanooga at all hazards." Thomas could hardly have received an order more in keeping with his ideas, and he answered: "We will hold the town until we starve."¹⁸

So akin to their great commander was the spirit of his troops, that they endured reduction of rations to one-half,

¹⁶ Van Horne, p. 46.

¹⁷ *Ibid.*, p. 97.

¹⁸ *Ibid.*, p. 156.

one-third, and one-fourth, with fortitude; however, the rations of the army mules were sometimes taken by the hungry boys in blue, and, while the poor mules died by hundreds, the steadfast army survived.

General Garfield, in a Memorial Day address at Arlington, in 1868, illustrated this quality in General Thomas by recounting an incident:

I can never forget an incident illustrative of this thought, which it was my fortune to witness, near sunset of the second day at Chickamauga, when the beleaguered but unbroken left wing of our army had again and again repelled the assaults of more than double their numbers, and when each soldier felt that to his individual hands were committed the life of the army and the honor of his country. It was just after a division had fired its last cartridge, and had repelled a charge at the point of the bayonet, that the great-hearted commander took the hand of an humble soldier and thanked him for his steadfast courage. The soldier stood silent for a moment, and then said, with deep emotion, "George H. Thomas has taken this hand in his. I'll knock down any mean man that offers to take it hereafter." This rough sentence was full of meaning. He felt that something had happened to his hand which consecrated it.¹⁹

Did ever a commander receive a finer tribute than this to General Thomas, paid by an humble soldier!

¹⁹ Van Horne, p. 427.

CHAPTER XIV

THOMAS (*Continued*)

The engagement at Falling Waters was on July 2, 1861, and on the 21st was the disastrous battle of Bull Run, which encouraged the Confederates to believe that they would have an easy victory over the Union forces, and which made the Government know its weakness and caused it to build for strength.

The first successful engagement of Union troops, following Bull Run, was that of Mill Springs, and this victory was due solely to General Thomas and his troops. As far as numbers engaged were concerned, it was not one of the large battles; but in the selection of the site for joining battle, the placing of his troops for attack or defense, the guarding against surprise, General Thomas displayed the highest kind of genius and knowledge of military strategy.

Although it is the fashion of the day to impute slowness to General Thomas, his record is clear on this point. No commander was swifter in emergency, quicker to foresee a danger and guard against it, surer in judgment on the immediate needs developed by the changing issues of battle.

The battle of Mill Springs took place on January 19, 1862, and was begun by an attempted surprise by the enemy at 5:30 a. m. But Thomas' military skill had prepared for such a possibility, and there was no surprise. His pickets held the enemy until the battle-line was formed, and the enemy was then routed. Van Horne says of this battle:¹

In this first successful western battle, fought upon a plan originated under the emergency of an attack by superior forces, every movement from first to last was a harmonious part of an action which was fought under circumstances that would have brought defeat had they not been clearly perceived and provided

¹ Pp. 33-4.



Geo H Thomas

This picture of Major-General George H. Thomas was taken near, or after, the close of the Civil War. He is shown in his uniform of a major-general, and wearing the badge of the Army of the Cumberland, which he commanded for so long a time. This badge is a combination of the three army corps badges: the triangle, representing the Fourth Corps; the acorn, the Fourteenth Corps; and the five-pointed star, the Twentieth Corps. These three corps composed the Army of the Cumberland.

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for by General Thomas there was no slowness on the part of Thomas in his first battle, since with unsurpassed quickness he provided for every contingency, and by one blow which was made possible by previous dispositions, gained a brilliant victory. And he did this while inspiring his soldiers by his own presence on the line of battle and by his unflinching exposure to a common danger. . . . The enemy was outflanked by an unsupported line of battle, and routed by inferior forces.

General Thomas was in command at Mill Springs; but, in the next engagement, where he was an outstanding figure, he was subordinate to General Rosecrans. This was at the battle of Stone River. Thomas was in command of what was then known as the "Centre," composed of four divisions. The Right and Left of the Army were commanded respectively by Generals McCook and Crittenden. The battle was opened on the morning of December 31, 1862, by General Bragg, who made a vigorous attack on the Union forces.

The varying fortunes of this battle had left several divisions of the Union troops, unsupported on either side, exposed to the violent attacks of the enemy. Van Horne gives this graphic description of General Thomas' part at this stage of the fight:²

This crisis carried with it the fate of the Army. General Thomas at once perceived that the only measure that would save the Centre and the Army was the establishment of a new line, which should connect itself with Crittenden's force on the left and with McCook's and other forces on the right. Seldom has a new line of battle been formed under similar circumstances. A permanent line was dependent upon a temporary one, and to both in conjunction General Thomas gave prompt attention.

After giving the details of the new placement of troops and their success in holding the position, Van Horne continues:³

General Thomas had only five brigades in the conflict on the 31st, and with this small force he arrested the success of the enemy. Battles are won in a general way by the aggregate force

² P. 94.

³ P. 96.

of all operations to which every officer who gives or obeys an order, and every soldier who fires a cannon or a musket, makes a contribution. However, in an engagement of marked emergencies the action of a brigade, division, or corps often stands out distinctly as saving an army. The crisis at the Centre was so distinct, that its mastery brought General Thomas and his five brigades into boldest relief, as having saved the army. The prompt dispositions of the commander, and the steadiness and bravery of the subordinate officers and men under circumstances which have often brought confusion to generals and panic to soldiers, give the greater prominence to their action. General Thomas gained greater distinction in other battles, but never did he meet a crisis with more promptness and skill.

The fortunes of war seemed on the side of the Confederacy in the early part of 1863, until the death of "Stonewall" Jackson, in May. This general might be termed the Sheridan of the Confederate Army. Both generals possessed, in an unusual degree, the ability to move their commands rapidly and with precision.

Then Lee made his disastrous foray into Pennsylvania, and fought the battle of Gettysburg. It was his first big battle after Jackson's death, and its result was that Lee never again fought on the aggressive, but thereafter maintained a purely defensive resistance.

On the same day that Lee retreated from Gettysburg, came the fall of Vicksburg, through General Grant's successful campaign; but in neither of these great Union successes did Thomas have a part. But time rolled on, and on September 19, 1863, the morning sun rose on two great opposing armies arrayed for battle on the field of Chickamauga. No man can say that valor was lacking on either side. The commanders and the men had that ominous feeling that sometimes prevails before a big engagement that

"Few, few shall part where many meet."

And on the bloody field of Chickamauga, for two days, raged as fierce fighting as the war had seen. Victory now

seemed with one army, now with the other. Opportunities went unperceived on both sides. Mistakes were made, and on the Union side was the singular blunder that moved Wood's Division out of line and left a gap for the enemy to penetrate and flank the Union troops. In all these long two days of battle, General Thomas held the left, on the main road leading back to Chattanooga.

On the afternoon of the second of those two dreadful days, the Assistant Secretary of War, Charles A. Dana, who had been on the battlefield with General Rosecrans, sent a dispatch to the Secretary of War, E. M. Stanton, in part as follows: ⁴

CHATTANOOGA, SEPTEMBER 20—4 p. m.

My report today is of deplorable importance. Chickamauga is as fatal a name in our history as Bull Run. . . .

Never in any battle I have witnessed was there such a mass of cannon and musketry. This lasted some twenty minutes, and then Van Cleve, on Thomas' right, was seen to give way, but in tolerable order, soon after which the lines of Sheridan and Davis broke in disorder, borne down by immense columns of enemy. These columns are said to have consisted of Polk's entire corps. They came through with resistless impulse, composed of brigades formed in divisions. Before them our soldiers turned and fled. It was wholesale panic. Vain were all attempts to rally them. They retreated directly across two lines of considerable ridges running parallel to our line of battle, and then most of them made their way over Missionary Ridge, and are coming here by Chattanooga Valley road. Our wagon trains have mostly got here already, and the road is full of a disordered throng of fugitives. McCook, with the right of his corps and Wilder's mounted infantry, attempted to recover the day, but it was useless. Davis and Sheridan are said to be coming off at the head of a couple of regiments in order, and Wilder's brigade marches out unbroken. Thomas, too, is coming down the Rossville road with an organized command, but all the rest is confusion. . . .

Imagine the bitter hour in Washington when this telegram was received announcing the rout of the entire Union Army! There were swept from the field in that rout the general com-

⁴O. R., Vol. 50, p. 192.

manding, the Assistant Secretary of War, two corps commanders, and four division commanders! Probably no other hour was so full of woe to Lincoln and his Cabinet, except that which followed the ghastly tidings of the first battle of Bull Run.

The whole Union Army in full retreat! But, stay! Assistant Secretary Dana sent another dispatch at 8 p. m. in which he said: ⁵

I am happy to report that my dispatch of 4 p. m. today proves to have given too dark a view of our disaster. Having been myself swept bodily off the battle-field by the panic-stricken rabble into which the divisions of Davis and Sheridan were temporarily converted, my own impressions were naturally colored by the aspect of that part of the field. It appears, however, that only those two divisions were actually routed, and that *Thomas*, with the remainder of the army, *still holds his part of the field*. [The italics are ours.]

"Thomas still holds," and what he held was the road to Chattanooga. So, the sun which rose in splendor on September 19, and shone on Thomas and his troops, in setting on September 20, left steadfast Thomas and his steadfast troops upon the bloody field of battle, unrouted and unvanquished!

Of all the men who fought upon that field, but one name stands preëminent: George H. Thomas, the Rock of Chickamauga!

But once again his name was to shine forth in victory, and this was in the battle of Nashville, in December, 1864.

After the fall of Atlanta, when Sherman headed for the sea, he took with him the 14th Corps of the Army of the Cumberland, although General Thomas had requested that it might stay with him. Sherman replied to his request: "It is too compact and reliable a corps for me to leave behind." Thus was Thomas separated from that corps whose gallantry and steadfastness were inspired by their great commander. He said of them, "That corps made me what I am," ⁶ but the

⁵ *Ibid.*, p. 193.

⁶ Van Horne, p. 261.

corps could have said with equal truth, "General Thomas made us what we are."

Thomas was left with a command which lacked the solidarity of the 14th Corps. Some were raw troops, some were convalescents from Sherman's command, and others were scattered. It is interesting to know that six of his regiments were Negro troops.

General Thomas busied himself at once in building up this more or less inchoate army. The War Department was anxious that General Hood should be defeated, and while Thomas was in process of strengthening his army so that it might be dependable in battle, he was harassed by the most insistent orders that he join battle with Hood. The annals of the war contain no more singular situation than that presented by the pestering of a general on the field by the authorities a long way off. He was determined to wait until his cavalry could be equipped. To General Halleck, he says, on December 1, 1864, writing from Nashville:

. I therefore think it best to wait here until Wilson can equip all his calvary. If Hood attacks me here, he will be more seriously damaged than he was yesterday [at Franklin]. If he remains until Wilson gets equipped, I can whip him, and will move against him at once.⁷

Events proved that he was correct; but still the authorities, who had endured the "masterly inactivity" of McClellan, fairly hounded the sole general whose record showed not one defeat.

Thomas would not strike "until he could perceive the conditions of success," and while he was building for that success, and his preparations were just concluded, General Grant ordered General Logan to supersede General Thomas, and himself started for Nashville, but he was stayed by a dispatch from Thomas on December 15, which conveyed the following information:⁸

I attacked the enemy's left this morning and drove it from

⁷ *Ibid.*, p. 300.

⁸ O. R., Vol. 94, p. 194.

the river, below the city, very nearly to the Franklin pike, a distance about eight miles. Have captured General Chalmers' headquarters and train, and a second train of about 20 wagons, with between 800 and 1,000 prisoners and 16 pieces of artillery. The troops behaved splendidly, all taking their share in assaulting and carrying the enemy's breast-works. I shall attack the enemy again to-morrow, if he stands to fight, and, if he retreats during the night, will pursue him, throwing a heavy cavalry force in his rear, to destroy his trains, if possible.

This dispatch showed General Grant and the Administration that General Thomas had correctly perceived the conditions of success. He had gained a victory which was overwhelming in the complete overthrow of the enemy. "Seldom," says Van Horne, "has a battle been fought in more exact conformity to plan, than the battle of Nashville, and this is true, not only in comparison with the great battles of our civil war, but also in comparison with those of Europe, fought by the great masters of war."⁹

Several years later, speaking of the battle of Nashville, General Thomas said of these men whom he had been at such pains to fit for battle:

The troops were moved on their respective positions, and, almost like men in review, took post after post, and drove the enemy to the hills. The next day, by the skilful maneuver of the cavalry commander, the enemy's left was entirely turned; and then, by one of the most gallant assaults I have ever witnessed, the entire line of the enemy was swept from left to right. And so ended one of the most daring armies the enemy ever equipped.¹⁰

We have already mentioned that there were Negro regiments in the battle of Nashville. After the battle, while riding over the battlefield, General Thomas observed the dead bodies of Negro soldiers commingled with the white, and he remarked: "This proves the manhood of the Negro."

Van Horne, further discussing Thomas' attitude toward the Negro, says:¹¹

⁹ Van Horne, p. 323.

¹⁰ Van Horne, p. 417.

¹¹ Pp. 347-8.

In an address before the New York Historical Society, General De Peyster quoted the words of General Thomas which give his estimate of those troops and their race:

It will take time for the regeneration of the negro, but he will come out purified by the terrible ordeal to which he has been subjected, and assume an honorable position in the ranks of humanity. That which is too weak to stand the protracted trial will perish; that which is too thoroughly infected with the poisonous influence of slavery will slough off; but the remnant will be found to be men, and discharge their duties as citizens in our midst.

"It was meet," adds Van Horne, "that he who had given official and personal encouragement to those in his department who organized and disciplined negro soldiers, should witness their valor in battle and bear testimony to it; and that the former slave-holder should condemn slavery, and express hope for those who had been subjected to its poisonous influences."

Although Robert E. Lee had, in 1856, written that slavery was a moral and political evil and a greater evil for the white man than the black, it is interesting at this point to contrast his later attitude toward slavery with that of General Thomas.

By January, 1865, the Confederacy was in such desperate straits for troops that, although the anathemas of Heaven had been called down by its leaders upon the Union for their wickedness in using Negro soldiers, it was decided to follow the wicked example of the North and arm the slaves to fight for the perpetuation of slavery.

Answering an inquiry of the Hon. Andrew Hunter as to his attitude toward the formation of Negro troops, Lee said that he favored such organization, and said further, concerning slavery, in his letter of January 11, 1865:¹²

Considering the relation of master and slave, controlled by humane laws and influenced by Christianity and an enlightened public sentiment, as the best that can exist between the white and black races while intermingled as at present in this country,

¹² O. R., Vol. 129, p. 1012.

I would deprecate any sudden disturbance of that relation unless it be necessary to avert a greater calamity to both.

This about-face of Lee concerning slavery is one of the interesting side-lights on his character and betrays the real man. From the premises thus set forth, he evolves the conclusion that it is expedient to arm the slaves "at the risk of the effects which may be produced upon our social institutions."

Several years after the war, in discussing the Negro, Lee remarked, according to his son: ¹³

I have always observed that wherever you find the negro, everything is going down around him, and wherever you find the white man, you see everything around him improving.

Comparisons are sure to be odious to one party or thing compared: and Lee's two letters on slavery are odorous of insincerity, and his attitude toward the Negro after the war lacks that high note of encouragement so helpful to a struggling man, or race.

We will give one more picture of General Thomas:

At a reunion of the Societies of the Armies of the Cumberland, Tennessee, Ohio, and Georgia, held in Chicago in December, 1868, General Thomas presided, and the effect of his presence is thus described in the report of the meeting, *The Army Reunion*: ¹⁴

None of the great soldiers of the war had aroused in the Armies of the West a more worshipful enthusiasm than he who sat first among the leaders assembled on the ample platform of the Opera House, on the evening of the 15th, General George H. Thomas. The events of his career and the qualities of his character had equally wrought in all observers the conviction that history rarely shows the world a man more compact of all the abilities and manners of a great soldier, and rarely affords to greatness a finer opportunity than was his on the memorable field of Chickamauga, and when the last desperate advance of the rebellion was crushed before Nashville. An incident of this even-

¹³ *Recollections*, by R. E. Lee, p. 168.

¹⁴ Van Horne, pp. 428-9.

ing of commemoration, the unexampled burst of irrepressible emotion which greeted a reference to General Thomas in the oration of General Belknap, strikingly confirmed the judgment of those who selected this modest hero and admirable soldier to sit between Grant and Sherman at the head of the great reunion assemblage. With gallant courtesy the orator of the Army of the Tennessee had spoken of "the determined soldier" and "beloved commander" of the Army of the Cumberland, "Thomas, the Rock of Chickamauga," when with instant accord every heart in the vast assembly, soldiers of every army and all ranks leaped beyond all bounds of usual excitement, into such a storm of applause as hardly once in a century falls upon human ears. It was a fit recognition of one who is justly thought to have shown himself, by the side of his great equals, an ideal soldier.

So, we have Thomas and Lee, equal in birth and training, and as divergent as the poles in loyalty: they form the perfect comparison and the perfect contrast: one fought for four years to maintain the Union, and one fought for four years to destroy it. Then this amazing thing is done: when a Republican President and a Republican Congress confer honor for valor in the Civil War by putting the likenesses of commanders on coins of the United States, do they bestow the honor on the loyal, or on the disloyal—on him who was unconquered on the field of battle or on him who surrendered an entire army at Appomattox? To the disloyal and the vanquished is given this highest honor—one never given to a soldier who offered his life in defense of his country.

These two commanders, Thomas and Lee, have long slept in the quiet grave; but when the last trump shall sound and all things are revealed, then shall we know which of these two Virginians wears the brighter crown: he who, professing to love his State and the Union, yet thrust Virginia at the bayonet's point out of the Union and into the iniquitous slaveholders' confederacy; professing to love his country, yet did all in his power to destroy it; professing to abhor slavery as a great evil, yet sought to extend and to perpetuate the infamous institution; or he who was—

“Among innumerable false unmoved,
Unshaken, unseduced, unterrified,
His loyalty he kept, his love, his zeal,
Nor number, nor example with him wrought
To swerve from truth, or change his constant mind.”

CHAPTER XV

DEFAMATION OF UNION SOLDIERS

After the slaveholders' rebellion had been crushed and the rebel armies had surrendered, General Thomas, on June 7, 1865, was assigned to the Military Division of the Tennessee, embracing the Department of Kentucky, the Department of Tennessee, the Department of Georgia, the Department of Alabama, and also of Florida.

His reports while in this service show a keen knowledge of conditions in his Division and a desire to do what was best for the citizens of his territory while maintaining the laws and discouraging lawlessness. His annual report of September 30, 1868, contains much of interest, and we call attention to the following paragraph in particular:¹

The controlling cause of the unsettled condition of affairs in the department is that the greatest efforts made by the defeated insurgents since the close of the war have been to promulgate the idea that the cause of liberty, justice, humanity, equality, and all the calendar of the virtues of freedom suffered violence and wrong when the effort for Southern independence failed. This is, of course, intended as a species of political cant, whereby the crime of treason might be covered with a counterfeit varnish of patriotism, so that the precipitators of the rebellion might go down in history hand-in-hand with the defenders of the Government, thus wiping out with their own hands their own stains; a species of self-forgiveness amazing in its effrontery, when it is considered that life and property,—justly forfeited by the laws of the country, of war, and of nations, through the magnanimity of the Government and people, — were not exacted from them.

What General Thomas reported to be true in September, 1868, is just as true today as it was fifty-eight or more years ago. This amazing effrontery still strives to cover treason with the counterfeit varnish of patriotism.

¹ Van Horne, pp. 405-6.

Harry Stillwell Edwards published in the *Atlanta Journal* of June 6, 1926, the following statement: "The south loves the Union, and to her last man and dollar will defend it. History will credit her with having made the real fight for the Union in the 'sixties,' and with the final victory." Effrontery can go no farther than in this perfect example of trying to varnish the treason of disunion with the counterfeit of patriotism.

The Confederate sympathizers follow two courses, as we have already mentioned, in their efforts to exalt their "stainless cause"; one is to extol the Confederacy and aggrandize it through suppression and misrepresentation of facts, as in the case of Robert E. Lee; the other is the systematic misrepresentation and defamation of the Union defenders. Now, more than sixty years after the war closed, we find these two lines of propaganda still flourishing side by side, not only in the South, but throughout the Union, and in Congress itself. There is hardly a history, biography, or magazine article which deals with or mentions the Confederacy which does not garble the truth.

Perhaps one of the most flagrant of recent examples occurs in the May, 1926, issue of *Harper's Magazine*, wherein H. G. Dwight, in an article, *South of the Potomac*, says concerning Arlington:

It made no difference that the house was built by Washington's adopted son, of whom he thought enough to make an executor of his will, that it belonged to Martha Washington's great-granddaughter, that it was full of things from Mount Vernon. No sooner was Lee's back turned than they [the Union soldiers] descended on it like locusts and stripped it of furniture, hangings, pictures, bricabrac, everything that could be carried off. Just the kind of thing we used to howl at the Germans for, a few years ago—except that the Germans didn't loot their own flesh and blood. Then the Government stepped in and seized the place for taxes accrued during the war.

"It made no difference" to the editor of *Harper's* or to the author that not a single item in the above statement is true. The data refuting these allegations was supplied to *Harper's*

with the request that the defamation be corrected in justice to the Union soldiers. The request was refused, because, as Mr. Dwight expressed it, it would "keep old quarrels green." A view with which the editors entirely agreed.

This is the "rubber-stamp" argument generally presented as a reason for denying redress to Union soldiers when they are defamed. The publication of such false allegations is, however, a singular way of acting in the interest of harmony, for it but serves to remind the loyal of the disloyalty of those who now make a bid for sympathy for their treason.

The biographies of Lee, by his son and his nephew, contain the truth about Arlington without seeking data elsewhere. But Lee himself is responsible for much of the prevailing idea that Arlington was pillaged by Union troops.

After his "caitiff" flight on April 21 (or 22), 1861, he was never again at Arlington, though Mrs. Lee lingered there until about May 16. On Nov. 22, 1861, Lee, referring to Arlington, says: "Now that we have no other home, and the one we so loved has been so foully polluted." This is the way his son quotes this reference,² but another biographer of Lee—H. A. White—changes the last two words "foully polluted" to "forever desecrated,"³ but Lee uses the same execrable word elsewhere with reference to Union soldiers, so the word "polluted" should stand as expressive of Lee's attitude of mind. Again, on Dec. 25, 1861, Lee says, "As to our old home, if not destroyed, it will be difficult ever to be recognized."⁴ In another letter, written on Dec. 25, 1861, to his daughter, Lee says: "Your old home, if not destroyed by our enemies, has been so desecrated that I cannot bear to think of it. I should have preferred it to have been wiped from the earth, its beautiful hill sunk, and its sacred trees buried, rather than to have been degraded by the presence of those who revel in the ill they do for their own selfish purposes."⁵ In his generous chivalry, Lee was determined to think the worst for Arlington and to lead others to think likewise.

² P. 56.

³ P. 130.

⁴ R. E. Lee, p. 59.

⁵ Jones, p. 385.

The facts, as gleaned from the biographies, are:

After the Lee family had abandoned Arlington as well as the Union, Federal officers protected that property. A letter from General Irvin McDowell to Mrs. Lee, on May 30, 1861,⁶ shows the courteous consideration which was given to the Lee property as soon as Lee's back was turned; the Mount Vernon relics, abandoned by the Lees, were taken first to the Patent Office, and finally to the National Museum; at length, after this careful preservation, they were returned to the Lee family.

Concerning the furnishings at Arlington, Lee's son says⁷ that his mother's cousin, Mrs. Britannia Kennon, "saved for us a great many of the household goods from Arlington, having gotten permission from the Federal authorities to do so, at the time it was occupied by their forces." These furnishings were afterward used at Lexington by the Lees.

The only things the Lees, of their own motion, made any effort to save, were their own personal silverware. This they had buried at Lexington, and, after the war, it was exhumed and used by them.

The Government, although under no obligation to do so, saved and protected the property of traitors, saved from pillage Arlington, the home of Robert E. Lee.

Nor was the place seized for taxes. The Government bought it in at a tax sale for \$26,000. There was no reason why the property of traitors should be exempt from due process of law, when loyal Union men, during the same period, had their property sold for non-payment of taxes.

The Government later, while Robert T. Lincoln was Secretary of War, paid Custis Lee \$150,000 for Arlington, thus making it cost \$176,000.

These are the facts which *Harper's Magazine* refused to publish, after having published allegations to the contrary. The truth, a just reward to patriotism, was denied to Union soldiers when false statements dishonored them.⁸

⁶ Fitzhugh Lee's *General Lee*, p. 106.

⁷ P. 190.

⁸ Prof. W. E. Dodd, in his article *Lincoln or Lee* in the *Century Magazine* for April, 1927, carries on the Arlington misrepresentation as

Many present-day writers have caught the spirit of this propaganda, and it is surprising how, sometimes deftly, sometimes clumsily, they introduce it into their articles: Lee, as typifying the glory of the slave-holders' Confederacy, must be referred to almost with awe and bated breath; we have already cited President Coolidge's advocacy of this propaganda, when he says that Lee was "marked with a purity of soul and a high sense of personal honor which no true American would ever stoop to question"; we find the historian, Rhodes, in his *History of the United States*,⁹ carrying on this propaganda thus: "Northern men may regret that Lee did not see his duty in the same light as did two other Virginians, Scott and Thomas, but censure's voice upon the action of such a noble soul is hushed."

The other side of the propaganda, however, must be carried on; and, while Lee is lauded, it is considered proper to lug in defamatory references to Union men and particularly to General Sherman and his troops. Mysterious and wonderful are some of the things attributed to this gallant commander. One which has its amusing side occurs in the January, 1926, issue of the *Bookman*, in an article entitled *Contemporary Southern Poetry*, by DuBose Heyward. He says:

The causes which produced the long postwar (Civil) silence, and then precipitated the awakening, are too evident and convincing. Those who can still remember Sherman's march, and the period of reconstruction, know well why the arts languished.

This would be a touching conclusion if the South had been

follows (P. 662): "that other and greater, more remarkable, man in Virginia who carried on the bow of his saddle the fortunes of both Lincoln and the raw and rising democracy of North America—Robert E. Lee, the master of Arlington, heir of the Father of his Country, Mary Custis, his invalid wife, cast out of the home of her ancestors; Robert E. Lee, trying then to set free the slaves of the Mount Vernon estate," etc.

These statements of Prof. Dodd are of singular interest, since Lee was not the master of Arlington nor the heir of the Father of his Country, because his father-in-law entailed the property upon his grandson so that Lee never owned any of it. Nor was Mrs. Lee cast out of her home. Lee set the slaves free because his father-in-law's will directed that they be freed. These truths are shown in the Lee biographies by his son and his nephew.

⁹ Vol. 3, p. 300.

able to show any great artistic development before the Civil War. But, she can "point with pride" to but few poets, Sidney Lanier and Edgar Allan Poe being the most notable in the poetic field. The North produced many poets before and during the war, and the Northern war songs stir the heart even to this day; whereas there is a singular lack of poems and songs in the South during this period: in songs, *Maryland*, *The Bonnie Blue Flag*, and *Dixie* seem to be the only ones to have merit or popularity; in poetry, the poems of Father Ryan seem the only ones now generally known.

In the light of what the South produced before and during the Civil War, we can only conclude that it was not Sherman's march which caused the later aridity in poetic soil, but the unstimulating influence of slavery before the war, and the lack of inspiration in slavery and disunion as subjects for poetic flight during the war. The farther the South emerges from the evils of slavery, the greater has been her artistic development, proving that Lee spoke truly when he said, in 1856, that slavery was a great evil.

While Sherman, next to Lincoln, is the target for most of the defamation of the Union soldiers, there are others who are generally mentioned in a defamatory way: Sheridan, because he destroyed the military supplies in the Shenandoah Valley; Butler, because he made the women of New Orleans behave; and Hunter, because he destroyed certain property in and around Lexington, Virginia. Sherman, of course, has anathemas heaped on his head because Columbia, S. C., was burned, but those who shout the loudest about Columbia maintain a discreet silence about Chambersburg, Pennsylvania.

There are many others misrepresented, but it is impossible in the limits of a single volume to cite the evidence refuting all such charges; but, because the commanders above named are most frequently misrepresented in connection with certain places and events, we will present the facts, not forgetting to disclose how Southern women fared at the hands of Union soldiers.

On June 5, 1861, General Beauregard issued an order which we quote in part as follows:¹⁰

TO THE GOOD PEOPLE OF THE COUNTIES OF LOUDOUN, FAIRFAX, AND PRINCE WILLIAM:—

A reckless and unprincipled tyrant has invaded your soil. Abraham Lincoln, regardless of all moral, legal, and constitutional restraints, has thrown his abolition hosts among you, who are murdering and imprisoning your citizens, confiscating and destroying your property, and committing other acts of violence and outrage too shocking and revolting to humanity to be enumerated. All rules of civilized warfare are abandoned, and they proclaim by their acts, if not on their banners, that their war-cry is "Beauty and booty." All that is dear to man, your honor, and that of your wives and daughters, your fortunes, and your lives, are involved in this momentous contest.

This proclamation was issued just shortly after Union troops entered Virginia, and it should be remembered that they did not enter Virginia until after the vote on secession was taken, May 23, 1861. Beauregard's proclamation was pure bombast, of course; but it seems to have been the basis or text for all future defamation of Union troops, systematically carried on even to this day, nearly seventy years later. It was our purpose to seek the truth, and, seeking, we have found the record clear that the Union soldier has been defamed, as proved, for example, by Dwight's article about Arlington.

General Lee himself helped to spread this defamation of the Union soldiers. We have already cited his several remarks that Arlington was polluted by the presence of Union soldiers. He wrote to a daughter on December 8, 1861, saying: "I am afraid Cousin Julia will not be able to defend her home if attacked by the vandals, for they have little respect for anybody, and if they catch the Doctor they will certainly send him to Fort Warren or La Fayette. I fear, too, the Yankees will bear off their pretty daughters."¹¹

"The vandals" to whom he so chivalrously refers had care-

¹⁰ O. R., Vol. 2, p. 907.

¹¹ R. E. Lee, p. 57.

fully protected his home from pillage. Cedar Grove, the place he feared would be attacked by these same Union vandals, was not attacked, and, so far as the records show, the pretty daughters were not carried off by them. A fair conclusion is, either that the daughters were not pretty, or else that Lee was assuming his customary attitude of fearing the worst where Union defenders were concerned.

The latter theory is no doubt correct; for, from a letter written to his daughter Agnes, on December 26, 1862, we find him saying, concerning another daughter, Mary, who was within the enemy lines:¹² "I can only hold oral communication with your sister, and have forbidden the scouts to bring any writing, and have taken back some that I had given them for her. If caught, it would compromise them. They only convey messages. I learn in that way she is well."

With all his faults, we cannot believe Lee to have been less anxious for his daughter's welfare than for that of others, and this letter shows, in the tranquil phrase, "I learn in that way she is well," that he had no anxiety for the daughter who was in the hands of the vandals.

Mrs. Lee, the wife of Robert E. Lee, was at least once within the Union lines,¹³ but he manifested no uneasiness on her account, as he surely would have done if the Union soldiers were the vandals and polluters he represented them to be; for, writing to Secretary of War Seddon, Jan. 10, 1863, Lee says:¹⁴

In view of the vast increase of the forces of the enemy, of the savage and brutal policy he has proclaimed, which leaves us no alternative but success or degradation worse than death, if we would save the honor of our families from pollution, our social system [slavery] from destruction, let every effort be made, every means be employed, to fill and maintain the ranks of our armies, until God, in his mercy, shall bless us with the establishment of our independence.

Contrary to his personal knowledge of the facts, he issued

¹² *Ibid.*, p. 88.

¹³ O. R., Vols. 12 and 14.

¹⁴ O. R., Vol. 31, p. 1086.

General Order No. 102 to the Army of Northern Virginia, November 26, 1863, in which he said: ¹⁵

A cruel enemy seeks to reduce our fathers and our mothers, our wives and our children, to abject slavery; to strip them of their property, and drive them from their homes. Upon you these helpless ones rely to avert these terrible calamities, and secure them the blessing of liberty and safety.

In passing, it is well to note here how fearful the Confederates were of the condition of slavery for themselves, in spite of their efforts to paint it as a benign institution; and to note, further, how frequently they cite themselves, then and now, as the heralds of liberty—they who were fighting to keep a race in slavery!

There were scores of like rhetorical efforts promulgated during the course of the war by the Confederate leaders, but we will turn our attention to present-day detractors of the Union, because they have access to the same facts of Union history that we have, and could have proclaimed the truth had they so desired.

We cannot take space to refute all the authors of misrepresentative statements, but we will call as witnesses three whose position in the United States, both North and South, might make their statements accepted as authoritative. The three are: Thomas Nelson Page, author and historian; James Ford Rhodes, historian; and, Dr. W. E. Dodd, Professor of United States History at the University of Chicago.

Nor can we take space to refute all the misrepresentations of these three historians, but, as Lee is taken as the exemplar of all the virtues of the Confederacy, so they take Sherman as an exemplar of all the alleged vices of the Union: by the correctness, or falseness, of what they say concerning Sherman and a few others, we can judge of their right to be considered authoritative.

¹⁵ *Personal Reminiscences*, Jones, p. 422.

CHAPTER XVI

THOMAS NELSON PAGE ON UNION COMMANDERS HIS COMPARISON OF SHERMAN AND LEE

We will first cite Thomas Nelson Page, quoting at length from his *Robert E. Lee, Man and Soldier*:¹

Butler had damned himself to everlasting fame by orders and acts in Louisiana which no soldier can think of without a blush. Hunter, in despite of expostulations, had burnt his way through the beautiful valley where Lee was to find his last resting place, and had left in his track the scarred and blackened ruins of countless dwellings. To the honor of the brave men he commanded it is said that he "had to deprive forty of his commissioned officers of their commands before he could carry into execution his infamous orders. [Confederate authority cited for this.] Even Halleck declared his action "barbarous." It was reserved for Sherman, possibly the second greatest general on the Northern side, to reverse most completely the advances of civilization and hark back almost to the ferocious methods of mediaevalism. To find the proof of this, one has no need to go outside of this officer's own recorded words.

"War is hell," he was quoted long after as saying. He did more than all others to make it so. He ruthlessly devastated, not only for the needs of his army and to deprive his enemy of subsistence, but to horrify and appall. He made war not only on men, but on women and children. He shelled defenceless towns which had not an armed man in them and had offered to surrender. [He doesn't name the towns, and the records show none such.]

"In nearly all his despatches after he had reached the sea," says Rhodes, an historian from his State, who is his apologist and his admirer, "he gloated over the destruction of property."

He gloated over the havoc he wrought, first, in anticipation, as he wrote, how he could "make a wreck of the country from Chattanooga to Atlanta, including the latter city," and again,

¹ P. 627 *et seq.*

how he could "make Georgia howl"; next, in the act of its perpetration, as he issued his orders for his army to "forage liberally on the country," and expressly forbade his officers to give receipts for property taken; authorized the wanton destruction of mills and houses; and while subordinate officers, like Howard and Cox and Schofield, were writhing under the robberies of defenceless women, extending even to the tearing of rings from their fingers, he chuckled over the robberies committed by his men—who quoted his orders to his face—and reviewed his "bummers," an organized corps of robbers, who have never had their counterpart since the Free Companies passed from the stage under the awakening conscience of modern Europe.

If these are strong words they are largely taken from his own writings. [We shall see later what Sherman really said.]

He sent an express message to the corps commander, General Davis, at General Howell Cobb's plantation, "to explain whose plantation it was and instruct him to spare nothing." This was but warring on women, for General Howell Cobb was far away at his post of duty in command of his brigade in Virginia and his brother, General Thomas Cobb, was in his honored grave two years ere this, having fallen at the foot of Marye's Heights, as a brave man falls, holding back brave men. "I would not restrain the army," Sherman wrote coolly, "lest its vigor and energy should be impaired."

Speaking of the burning of Columbia, which Sherman wrote his brother he had in his report "distinctly charged to General Wade Hampton," he adds, "I confess I did so pointedly to shake the faith of his people in him." A distinguished historian from his own State has declared of this destruction of Columbia, a defenseless city which had surrendered, that "it was the most monstrous barbarity of this barbarous march. Before his movements began, General Sherman had begged permission to turn his army loose in South Carolina and devastate it. He used this permission to the full. He protested that he did not wage war upon women and children. But under the operations of his orders the last morsel of food was taken from hundreds of destitute families that his soldiers might feast in needless and riotous abundance. Before his eyes rose, day after day, the mournful clouds of smoke on every side that told of old people and their grandchildren driven in mid-winter, from the only roofs that were to shelter them, by the flames which the wantonness of his soldiers had kindled. Yet, if a single soldier was punished for a single

outrage or theft during that entire movement we have found no mention of it in all the voluminous records of the march."

Place Lee's general order from Chambersburg on invading Pennsylvania beside Sherman's correspondence with Halleck, and let posterity judge thereby the character of the commanders. Halleck, chief of staff and military adviser to President Lincoln, writes to Sherman, "Should you capture Charleston, I hope that by some accident the place might be destroyed, and if a little salt should be sown upon its site it might prevent the growth of future crops of nullification and secession," and Sherman replies, "I will bear in mind your hint as to Charleston, and do not think salt will be necessary. When I move on, the Fifteenth Corps will be on the right wing, and their position will bring them naturally into Charleston first, and if you have watched the history of that corps you have remarked that they generally do up their work pretty well."²

While this general was giving orders to burn mills and destroy all food sources on which non-combatants depended for life, and to convey prisoners first, or if prisoners were wanting, then non-combatant inhabitants, over all bridges and other places suspected of being mined, and "could hardly help laughing at their stepping so gingerly along the road where it was supposed sunken torpedoes might explode at each step"; and while even Grant, not yet risen to his last splendid act of magnanimity, as he was brought to do in the long vigils before Petersburg, was expressing his hope to Hunter that his troops would "eat out Virginia clear and clean, as far as they could go, so that crows flying over it for the balance of the season would have to carry their provender with them"; Lee, as he marched into Pennsylvania, issued orders to his troops to remember that they made war only on armed men, and that no greater disgrace could befall the army, and through it the whole South, than the perpetration of barbarous outrages on the innocent and defenceless. This whole order can never be too frequently repeated. It gives the man as he was.

² Sherman's troops were never within 40 miles of Charleston. Far from destroying Charleston, after it was evacuated by the Confederates and was being pillaged and burned by Confederate stragglers, at the request of the mayor of Charleston, Union troops dispersed the stragglers and put out the fires, thus saving Charleston from destruction. The first Union troops to render service and rescue to the stricken city were Negroes. (O. R., Vol. 98, pp. 1018-1021.)—L. S. S.

HDQRS. ARMY OF NORTHERN VA.,
CHAMBERSBURG, PA., JUNE 27, 1863.

GENL. ORDER, No. 72 [73].

The commanding general has observed with marked satisfaction the conduct of the troops on the march, and confidently anticipates results commensurate with the high spirit they have manifested. No troops could have displayed greater fortitude or better performed the arduous marches of the past ten days. Their conduct in other respects has, with few exceptions, been in keeping with their character as soldiers and entitled them to approbation and praise.

There have, however, been instances of forgetfulness on the part of some that they have in keeping the yet unsullied reputation of the army, and that the duties exacted of us by civilization and Christianity are not less obligatory in the country of the enemy than in our own. The commanding general considers that no greater disgrace would befall the army, and through it our whole people, then the perpetration of the barbarous outrages upon the innocent and defenceless, and the wanton destruction of private property, that have marked the course of the enemy in our own country. Such proceedings not only disgrace the perpetrators and all connected with them, but are subversive of the discipline and efficiency of the army and obstructive to the ends of our present movements. It must be remembered that we make war only on armed men, and that we cannot take vengeance for the wrong our people have suffered without lowering ourselves in the eyes of all whose abhorrence has been excited by the atrocities of our enemy, and offending against Him to whom vengeance belongeth, without whose favor and support our efforts must all prove in vain.

The commanding general, therefore, earnestly exhorts the troops to abstain with most scrupulous care from unnecessary or wanton injury to private property, and he enjoins upon all officers to arrest and bring to summary punishment all who shall in any way offend against the orders on this subject.

R. E. LEE, *General*.

ordered to provide, in the manner and subject to the provisions herein prescribed, reporting their action to the heads of their respective departments, to whom they will forward duplicates of all vouchers given or received.

V. All persons who shall decline to receive payment for property furnished on requisitions, and all from whom it shall be necessary to take stores or supplies, shall be furnished by the officer receiving or taking the same with a receipt specifying the kind and quantity of the property received or taken, as the case may be, the name of the person from whom it was received or taken, the command for the use of which it is intended, and the market price. A duplicate of said receipt shall be at once forwarded to the chief of the department to which the officer by whom it was executed is attached.

VI. If any person shall remove or conceal property necessary for the use of the army, or attempt to do so, the officers hereinbefore mentioned will cause such property, and all other property belonging to such person that may be required by the army, to be seized, and the officer seizing the same will forthwith report to the chief of his department the kind, quantity and market price of the property so seized, and the name of the owner.

By command of General R. E. Lee:

R. H. CHILTON,

Assistant Adjutant General.

Rhodes, referring to these two General Orders, 72 and 73, says: ⁴

His order of June 21 enjoined scrupulous respect for private property, and that of the 27th, after he had reached Chambersburg, manifested his satisfaction with his troops for their general good behavior, but mentioned that there had been "instances of forgetfulness," and warned them that such offenders should be brought to summary punishment. Military discipline, mercy, and the desire to do everything possible "to promote the pacific feeling" at the North prompted him to such a course. It is true that the payment for supplies was made in Confederate money which turned out to be worthless, but in estimating his motives it must be remembered that he paid with the only currency that he had, a currency which bade fair to have a considerable value

⁴ Rhodes, Vol. 4, p. 274,

should his confident expectation of defeating the Union Army on Pennsylvania soil be realized. No attestation of Lee's sincerity in issuing these orders is needed, but it is grateful to read in various Northern journals of the time words of praise of the Southern commanders for restraining their soldiers from "acts of wanton mischief and rapine."

Lee's letters to Davis concerning these orders give a truer value to his motives than Rhodes does and portray the man as he was finely. On June 10, 1863, he wrote a long letter to Davis, which is so valuable in its import and its betrayal of motives that we cite it in full:⁵

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,

June 10, 1863.

His Excellency JEFFERSON DAVIS, Richmond:

MR. PRESIDENT: I beg leave to bring to your attention a subject with reference to which I have thought that the course pursued by writers and speakers among us has had a tendency to interfere with our success. I refer to the manner in which the demonstration of a desire for peace at the North has been received in our country.

I think there can be no doubt that journalists and others at the South, to whom the Northern people naturally look for a reflection of our opinions, have met these indications in such wise as to weaken the hands of the advocates of a pacific policy on the part of the Federal Government, and give much encouragement to those who urge a continuance of the war.

Recent political movements in the United States, and the comments of influential newspapers upon them, have attracted my attention particularly to this subject, which I deem not unworthy of the consideration of Your Excellency, nor inappropriate to be adverted to by me, in view of its connection with the situation of military affairs.

Conceding to our enemies the superiority claimed by them in numbers, resources, and all the means and appliances for carrying on the war, we have no right to look for exemptions from the military consequences of a vigorous use of these advantages, excepting by such deliverance as the mercy of Heaven may accord to the

⁵ O. R., Vol. 45, p. 880.

courage of our soldiers, the justice of our cause, and the constancy and prayers of our people. While making the most we can of the means of resistance we possess, and gratefully accepting the measure of success with which God has blessed our efforts as an earnest of His approval and favor, it is nevertheless the part of wisdom to carefully measure and husband our strength, and not to expect from it more than in the ordinary course of affairs it is capable of accomplishing. We should not, therefore, conceal from ourselves that our resources in men are constantly diminishing, and the disproportion in this respect between us and our enemies, if they continue united in their efforts to subjugate us, is steadily augmenting.

The decrease of the aggregate of this army, as disclosed by the returns, affords an illustration of this fact. Its effective strength varies from time to time, but the falling off in its aggregate shows that its ranks are growing weaker and that its losses are not supplied by recruits.

Under these circumstances, we should neglect no honorable means of dividing and weakening our enemies, that they may feel some of the difficulties experienced by ourselves. It seems to me that the most effectual mode of accomplishing this object, now within our reach, is to give all the encouragement we can, consistently with truth, to the rising peace party of the North.

Nor do I think we should, in this connection, make nice distinction between those who declare for peace unconditionally and those who advocate it as a means of restoring the Union, however much we may prefer the former.

We should bear in mind that the friends of peace at the North must make concessions to the earnest desire that exists in the minds of their countrymen for a restoration of the Union, and that to hold out such a result as an inducement is essential to the success of their party.

Should the belief that peace will bring back the Union become general, the war would no longer be supported, and that, after all, is what we are interested in bringing about. When peace is proposed to us, it will be time enough to discuss its terms, and it is not the part of prudence to spurn the proposition in advance, merely because those who wish to make it believe, or affect to believe, that it will result in bringing us back to the Union. We entertain no such apprehensions, nor doubt that the desire of our people for a distinct and independent national ex-

istence will prove as steadfast under the influence of peaceful measures as it has shown itself in the midst of war.

If the views I have indicated meet the approval of Your Excellency, you will best know how to give effect to them. Should you deem them inexpedient or impracticable, I think you will nevertheless agree with me that we should at least carefully abstain from measures or expressions that tend to discourage any party whose purpose is peace.

With the statement of my own opinion on the subject, the length of which you will excuse, I leave to your better judgment to determine the proper course to be pursued.

I am, with great respect, your obedient servant,

R. E. LEE,

General.

On June 25 Lee wrote again to Davis and, referring to this subject, said:⁶

MR. PRESIDENT: I have received today your letter of the 19th instant, and am much gratified by your views in relation to the peace party at the North. It is plain to my understanding that everything that will tend to repress the war feeling in the Federal States will *inure to our benefit*. I do not know that we can do anything to promote the pacific feeling, but our course ought to be so shaped as not to discourage it. [The italics are ours.]

So, it was no impulse of mercy which prompted these orders, but a keen understanding that pacifism in the North would be destructive to the Union and inure to the benefit of the Confederacy. General Order 72 was the working order for the Confederates in loyal territory; General Order 73 was propaganda for political effect. General Order 72 did not protect private property. It contained the regulations under which the Confederacy would derive the most benefit from the property thus seized. The result was the same to the person whose property was seized, whether the property was taken under the direction of officers or by private soldiers.

Paragraph VI betrays the military ruthlessness of Lee's command when it says: "If any person shall remove or con-

⁶O. R., Vol. 45, p. 930.

ceal property necessary for the use of the army, or attempt to do so, the officers hereinbefore mentioned will cause such property, and all other property belonging to such person that may be required by the army to be seized." It is not surprising that Page kept silent on the existence of this General Order.

Nor is it surprising that Rhodes, in his picture of Lee as actuated by motives of mercy and peace, should omit any reference to Lee's letter of June 10, though in a footnote he does refer the reader to the letter of June 25. But, so far as Rhodes is concerned, there is nothing to lead the inquiring mind to suspect the existence of this letter of June 10, which, for the duplicity it displays, is unrivalled in Confederate annals: the peace party of the North is to be encouraged, although the restoration of the Union is an essential principle of it; when peace is obtained, Lee says he has no doubt that the desire of the Confederates for a separate government will be steadfast!

This double-dealing is not surprising in the man who, while he wore the uniform of the United States, was conniving with the Confederates to dismember it. It is one of those marks "of purity of soul and high sense of personal honor" which President Coolidge so commends.

But there is still another aspect of Lee's army in Union territory which must be considered, in order fully to understand the fact that Lee's General Order 73 was solely propaganda to weaken the Union cause by deceiving the peace party.

This General Order 73 is repeatedly presented to the world, not only as proof of the lofty character of Lee, but also of his Confederate Army. Yet, on May 27, 1862, Major-General Jackson found it necessary to issue the following order: ⁷

GENERAL ORDERS,	HEADQUARTERS VALLEY DISTRICT,
No. 54.	MAY 27, 1862.

Any person belonging to the army found in possession of captured property unaccounted for to the proper officer will, unless he can give a satisfactory explanation of his delinquency,

⁷ O. R., Vol. 18, p. 902.

be put on the roster for such duty as will exclude him from those posts of honor where distinction is to be won, and which requires exhibition of the highest qualities of the patriot soldier.

The shameless pillaging practiced by numbers of cavalry and infantry, who were intrusted with the advance in pursuing the enemy through Newtown on the 24th instant, under the gallant Ashby, so reduced his command as to render it necessary to discontinue the pursuit until reinforced by other forces. Such troops cannot be depended on to secure brilliant results, and hence they will not be placed in the advance of this army until satisfactory evidence shall be given that their disgraceful conduct will not be repeated.

It is hoped that this army will discountenance acts which tend to tarnish its well-earned reputation.

All captured property belongs to the Government, and for individuals to appropriate it is theft.

By order of Major-General Jackson: R. L. DABNEY,
Assistant Adjutant-General.

Thus it is seen that the army, to which Lee refers as having a "reputation as yet unsullied" and showing that "the duties exacted of us by civilization and Christianity are not less obligatory in the country of our enemy than in our own," a short year before were so occupied with "shameless pillaging" in Maryland that a general order was issued in an endeavor to check their uncivilized practices.

But this is not all: the following September, General Lee himself writes to President Davis from Fredericktown, shortly before the battle of Antietam:⁸

HEADQUARTERS.

Two miles from Fredericktown, Md., SEPTEMBER 7, 1862.
HIS EXCELLENCY PRESIDENT DAVIS,
RICHMOND, VA.

MR. PRESIDENT: I find that the discipline of the army, which, from the manner of its organization, the necessity of bringing it into immediate service, its constant occupation and hard duty, was naturally defective, has not been improved by the forced marches and hard service it has lately undergone. I need not

⁸ O. R., Vol. 28, p. 597.

say to you that the material of which it is composed is the best in the world, and, if properly disciplined and instructed, would be able successfully to resist any force that could be brought against it. Nothing can surpass the gallantry and intelligence of the main body, but there are individuals who, from their backwardness in duty, tardiness of movement, and neglect of orders, do it no credit. These, if possible, should be removed from its rolls if they cannot be improved by correction.

Owing to the constitution of our courts-martial, great delay and difficulty occur in correcting daily evils. We require more promptness and certainty of punishment. One of the greatest evils, from which many minor ones proceed, is the habit of straggling from the ranks. The higher officers feel as I do, and I believe have done all in their power to stop it. It has become a habit difficult to correct. With some, the sick and feeble, it results from necessity, but with the greater number from design. These latter do not wish to be with their regiments, nor to share in their hardships and glories. They are the cowards of the army, desert their comrades in times of danger, and fill the houses of the charitable and hospitable in the march. I know of no better way of correcting this great evil than by the appointment of a military commission of men known to the country, and having its confidence and support, to accompany the army constantly, with a provost-marshal and guard to execute promptly its decisions.

If, in addition, a proper inspector-general, with sufficient rank and standing, with assistants, could be appointed to see the execution of orders, and to fix the responsibility of acts, great benefits and saving to the service would be secured. I know there is no law for carrying out these suggestions, but beg to call your attention to the subject, and ask, if this plan does not meet with your approval, that, in your better judgment, you will devise some other, for I assure you some remedy is necessary, especially now, *when the army is in a State whose citizens it is our purpose to conciliate and bring with us. Every outrage upon their feelings and property should be checked.* [The italics are ours.]

I am, with high respect, your obedient servant,

R. E. Lee,
General.

So, the conduct of Lee's troops in general, in spite of the valor of many, was so reprehensible that the ordinary military methods of punishment were inadequate, and so he sug-

gests the establishment of an entirely new system with which to cope with the evil, that of a military commission to travel around with the army in order that "the outrages" upon the citizens of Maryland, whom the Confederates wished to conciliate, may be checked.

On September 17, 1862, occurred the battle of Antietam, so disastrous to Confederate arms. Following which, on September 21, 1862, Lee wrote a letter to Davis in which he dealt at length on the extent to which his army was straggling, saying in part: ⁹

Some immediate legislation, in my opinion, is required, and the most summary punishment should be authorized. It ought to be construed into desertion in face of the enemy, and thus brought under the Rules and Articles of War. To give you an idea of its extent in some brigades, I will mention that, on the morning after the battle of the 17th, General Evans reported to me on the field, where he was holding the front position, that he had but 120 of his brigade present, and that the next brigade to his, that of General Garnett, consisted of but 100 men. General Pendleton reported that the brigades of Generals Lawton and Armistead, left to guard the ford at Shepardstown, together contained but 600 men. This is a woeful condition of affairs, and I am pained to state it, but you ought not to be ignorant of the fact, in order, if possible, that you may apply the proper remedy.

On the next day, September 22, 1862, Lee wrote again to Davis concerning this same problem of straggling: ¹⁰

In connection with the subject of straggling, about which I had the honor to write to you again yesterday, the destruction of private property by the army has occupied much of my attention. A great deal of damage to citizens is done by stragglers, who consume all they can get from the charitable and all they can take from the defenceless, in many cases wantonly destroying stock and other property. The presence of a large army in any country cannot but entail loss upon the inhabitants; it is necessary at times to remove fences, pass through fields on the march, and occupy them for encampments. In battles the de-

⁹ O. R., Vol. 27, p. 143.

¹⁰ O. R., Vol. 28, pp. 617-18.

struction of property is also unavoidable and often very great; but, in addition to losses to individuals inseparable from a state of war, I regret to say that much unnecessary damage is done by the troops both while marching and in camp. It is impossible as the army is now organized to prevent these acts by orders. When such orders are published they are either imperfectly executed or wholly disregarded. I have the honor to inclose to you a copy of a letter written on the 7th instant, which may not have reached you, containing some suggestions as to the means of preventing these and punishing the perpetrators. I again respectfully invite your attention to what I have said in that letter. *Some effectual means of repressing these outrages should be promptly adopted, as they are disgraceful to the army and injurious to our cause.* [The italics are ours.]

The following June, General Lee issued his General Order 73, in which he lauds his army on the march. But this is the same army which engaged in wanton pillaging a few months before—pillaging characterized by Lee as “outrages” and “disgraceful,” intolerable to him, however, not because they injured the “defenseless,” but because, as he says, they were “injurious to our cause.”

Thus do Lee and Jackson, before the issue of General Order 73, bear witness to the wanton destruction by rebels in loyal territory, and these facts, indisputable and from highest Confederate authority, should be kept in mind while we return to the defamatory charges constantly broadcasted against Sherman.

CHAPTER XVII

GENERAL W. T. SHERMAN

The citation from Page in the previous chapter contains, as we have said, in brief form, the usual charges made against the Union soldiers, and, in considering and presenting the facts, we will first take up the charges against Sherman.

In the beginning we call attention to a singular unanimity of omission by those who misrepresent Sherman and his soldiers. Such men as Page, Whitelaw Reid, and James Ford Rhodes fail to present Sherman's order to his men, and, in fact, they cannot publish it and maintain their assertions of lawlessness and pillaging. In truth, these general orders refute much that Page alleges in what we have just quoted, and we therefore invite attention to Special Field Orders Numbers 119 and 120:¹

(SPECIAL FIELD ORDERS No. 119.)

HEADQUARTERS MILITARY DIVISION OF THE
MISSISSIPPI,
IN THE FIELD, KINGSTON, GEORGIA, NOVEMBER
8, 1864.

The general commanding deems it proper at this time to inform the officers and men of the Fourteenth, Fifteenth, Seventeenth, and Twentieth Corps, that he has organized them into an army for a special purpose, well known to the War Department and to General Grant. It is sufficient for you to know that it involves a departure from our present base, and a long and difficult march to a new one. All the chances of war have been considered and provided for, as far as human sagacity can. All he asks of you is to maintain that discipline, patience, and courage, which have characterized you in the past; and he hopes, through you, to

¹ Sherman's *Memoirs*, Vol. II, pp. 174 *et seq.*



From an engraving by William Sartain

M. T. Sherman

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strike a blow at our enemy that will have a material effect in producing what we all so much desire, his complete overthrow. Of all things, the most important is, that the men, during marches and in camp, keep their places and do not scatter about as stragglers or foragers, to be picked up by a hostile people in detail. It is also of the utmost importance that our wagons should not be loaded with anything but provisions and ammunition. All surplus servants, non-combatants, and refugees, should now go to the rear, and none should be encouraged to encumber us on the march. At some future time we will be able to provide for the poor whites and blacks who seek to escape the bondage under which they are now suffering. With these few simple cautions, he hopes to lead you to achievements equal in importance to those of the past.

By order of Major-General W. T. Sherman,

L. M. DAYTON, *Aide-de-Camp*.

(SPECIAL FIELD ORDERS, No. 120.)

HEADQUARTERS MILITARY DIVISION OF THE
MISSISSIPPI,

IN THE FIELD, KINGSTON, GEORGIA, November 9, 1864.

1. For the purpose of military operations, this army is divided into two wings, viz:

The right wing, Major-General O. O. Howard commanding, composed of the Fifteenth and Seventeenth Corps; the left wing, Major-General H. W. Slocum commanding, composed of the Fourteenth and Twentieth Corps.

2. The habitual order of march will be, wherever practicable, by four roads, as nearly parallel as possible, and converging at points hereafter to be indicated in orders. The cavalry, Brigadier-General Kilpatrick, commanding, will receive special orders from the commander-in-chief.

3. There will be no general train of supplies, but each corps will have its ammunition-train and provision-train, distributed habitually as follows: Behind each regiment should follow one wagon and one ambulance; behind each brigade should follow a due proportion of ammunition-wagons, provision-wagons, and ambulances. In case of danger, each corps commander should change his order of march, by having his advance and rear brigades unencumbered by wheels. The separate columns will start

habitually at 7 A.M., and make about fifteen miles per day, unless otherwise fixed in orders.

4. The army will forage liberally on the country during the march. To this end, each brigade commander will organize a good and sufficient foraging party, under the command of one or more discreet officers, who will gather, near the route traveled, corn or forage of any kind, meat of any kind, vegetables, corn-meal, or whatever is needed by the command, aiming at all times to keep in the wagons at least ten days' provisions for his command, and three days' forage. Soldiers must not enter the dwellings of the inhabitants, or commit any trespass; but, during a halt or camp, they may be permitted to gather turnips, potatoes, and other vegetables, and to drive in stock in sight of their camp. To regular foraging-parties must be intrusted the gathering of provisions and forage, at any distance from the road traveled.

5. To corps commanders alone is entrusted the power to destroy mills, houses, cotton-gins, etc.; and for them this general principle is laid down: In districts and neighborhoods where the army is unmolested, no destruction of such property should be permitted; but should guerrillas or bushwhackers molest our march, or should the inhabitants burn bridges, obstruct roads, or otherwise manifest local hostility, then army commanders should order and enforce a devastation more or less relentless, according to the measure of such hostility.

6. As for horses, mules, wagons, etc., belonging to the inhabitants, the cavalry and artillery may appropriate freely and without limit; discriminating, however, between the rich, who are usually hostile, and the poor and industrious, usually neutral or friendly. Foraging parties may also take mules or horses, to replace the jaded animals of their trains, or to serve as pack-mules for the regiments or brigades. In all foraging, of whatever kind, the parties engaged will refrain from abusive or threatening language, and may, where the officer in command thinks proper, give written certificates of the facts, but no receipts; and they will endeavor to leave with each family a reasonable portion for their maintenance.

7. Negroes who are able-bodied and can be of service to the several columns may be taken along; but each army commander will bear in mind that the question of supplies is a very important one, and that his first duty is to see to those who bear arms.

8. The organization, at once, of a good pioneer battalion for each army corps, composed if possible of negroes, should be at-

tended to. This battalion should follow the advance guard, repair roads and double them if possible, so that the columns will not be delayed after reaching bad places. Also, army commanders should practise the habit of giving the artillery and wagons the road, marching their troops on one side, and instruct their troops to assist wagons at steep hills or bad crossings of streams.

9. Captain O. M. Poe, chief-engineer, will assign to each wing of the army a pontoon-train, fully equipped and organized; and the commanders thereof will see to their being properly protected at all times.

By order of Major-General W. T. Sherman,

L. M. DAYTON, *Aide-de-Camp*.

By comparing these two orders with those of Lee, cited in the previous chapter, it is readily seen that Sherman's orders to his troops are the equal of Lee's, and, as we shall see later, they are generous in the extreme, considering the examples set him by the Confederate Army in Union territory, and this temperateness is the obvious reason for their suppression, or misrepresentation.

In connection with these orders—orders which were repeated in the next few days after they were issued by the various commanders under Sherman—if the reader will turn to the charges made by Page, which are quoted in the previous chapter, he will see how unfounded they are.

Page says he "authorized the wanton destruction of mills and houses." Section 5 of Sherman's General Order 120 specifies exactly the opposite order. Page further says: "and while subordinate officers, like Howard and Cox and Schofield were writhing under the robberies of defenseless women, extending even to tearing of rings from their fingers, he chuckled over the robberies committed by his men—who quoted his orders to his face—and reviewed his 'bummers', an organized corps of robbers who have never had their counterpart since the Free Companies passed from the stage under the awakening conscience of modern Europe. If these are strong words they are largely taken from his own writings."

Yet these men, whom he so defames, were under the same

kind of orders, only more drastic in their regulation, as were Lee's army, and they were just as strictly enforced.

This is the incident from which Page derives his statement that Sherman "chuckled over the robberies committed by his men." Sherman says:²

It was at this very plantation that a soldier passed me with a ham on his musket, a jug of sorghum-molasses under his arm, and a big piece of honey in his hand, from which he was eating, and, catching my eye, he remarked *sotto voce* and carelessly to a comrade, "Forage liberally on the country," quoting from my general orders. On this occasion, as on many others that fell under by personal observation, I reproved the man, explained that foraging must be limited to the regular parties properly detailed, and that all provisions thus obtained must be delivered to the regular commissaries, to be fairly distributed to the men who kept their ranks."

Far from "chuckling," we have Sherman's own word that he reproved any irregularity that came under his observation. Such misrepresentations are deliberate, and do not speak well for a cause which must be bolstered up by systematic defamation and misrepresentation of those who overthrew it.

Almost every sentence which we have cited from Page is misrepresentative. Note where he says: "While this general was giving orders to burn mills and destroy all food sources on which non-combatants depended for life," and compare it with the real orders Sherman gave to which we have already called specific attention in Paragraph 5, and read Paragraph 6 which contains the order "and they will endeavor to leave with each family a reasonable portion for their maintenance."

This order compares quite favorably with that of Lee, which says: "If any person shall remove or conceal property necessary for the use of the army or attempt to do so, the officers hereinbefore mentioned will cause such property, and *all* other property belonging to such person that may be required by the army, to be seized." Note, too, that Section I of this same General Order 72 of Lee's says, "No private

² *Memoirs*, Vol. II, p. 181.

property shall be injured or destroyed by any person belonging to or connected with the army, or taken, *excepting* by the officers hereinafter designated."

Perhaps the pettiest deliberate misrepresentation lies in the charge that Sherman "expressly forbade his officers to give receipts for property taken." Sherman's order was that an officer in command of foraging parties could, if he "thinks proper, give written certificates of the facts, but no receipts." Page omits the fact that certificates could be given, and states that receipts were forbidden. Yet—the Confederates themselves did this very thing, and Sherman was only following their illustrious example, already set, in so ordering.

General Early, in his autobiography,³ referring to one of his forays into Pennsylvania, says: "We were now in the enemy's country, and were getting our supplies entirely from the country people. These supplies were taken from mills, store-houses, and the farmers, under a regular system ordered by General Lee, and with a due regard to the wants of the inhabitants themselves, *certificates* being given in all cases."

On July 5, 1864, Early issued a general order which contained the following language:⁴ "Such supplies as are needed for the army will be taken by or under the direction of the chiefs of the various departments, and payment made therefor or *certificates* given as the owner may prefer."

General Lee himself, in a letter to General Ewell, of June 17, 1863, says, "Take what is necessary for the army, and give citizens of Maryland Confederate money or *certificates*."⁵

So, by those who consider the Confederate acts and rules to be patterns of conduct, General Sherman should be considered as having acted with eminent propriety when he authorized the issuance of "certificates." Page, when he condemns him for forbidding receipts, deliberately misrepresents when he omits to mention the authorization of certificates by Sherman. It is petty, but it betrays the manner of man Page was, that he would stoop to such deception.

The remainder of Early's paragraph from which we have

³ P. 254.

⁴ O. R., Vol. 71, p. 592.

⁵ O. R., Vol. 45, p. 901.

just quoted is interesting. It reads: ". . . and any officer or man found committing depredations of any sort will be at once arrested and summarily punished. In passing through towns and villages on the route commanding officers will always post guards to preserve order, and they will take every precaution to prevent their men from obtaining ardent spirits; and whenever a citizen is found selling it to the men, it will be at once confiscated to the use of the government, and either turned over to the medical officer or destroyed."

The paragraph which Page devotes to General Cobb's plantation is worthy consideration: he says:

He [Sherman] sent an express message to the corps commander, General Davis, at General Howell Cobb's plantation, "to explain whose plantation it was, and instruct him to spare nothing." This was but warring on women, for General Howell Cobb was far away at his post of duty in command of his brigade in Virginia and his brother, General Thomas Cobb, was in his honored grave two years ere this, having fallen at the foot of Marye's Heights, as a brave man falls, holding back brave men. "I would not restrain the army," Sherman wrote coolly, "lest its vigor and energy should be impaired."

While, of course, the fact that General Thomas Cobb "had been in his honored grave two years" has no connection with General Sherman's march, we are interested in the statement that "General Howell Cobb was far away at his post of duty in command of his brigade in Virginia." The Official Records, particularly Serial 92, give many letters and dispatches to and from General Cobb at this time. They show that he was not in Virginia, but was in command of rebel troops in and about Macon, Georgia, a few miles from his plantation. The dwelling on the Cobb plantation under discussion was not the residence of Howell Cobb, but of his overseer. Cobb never lived there.

What Sherman really said and what his troops did are of equal interest where this Cobb plantation is concerned. Sherman says:⁶

⁶ *Memoirs*, Vol. II, p. 185.

In looking around the room, I saw a small box, like a candle box, marked "Howell Cobb," and, on inquiring of a negro, found that we were at the plantation of General Howell Cobb, of Georgia, one of the leading rebels of the South, then a general in the Southern army, and who had been Secretary of the United States Treasury in Mr. Buchanan's time. Of course, we confiscated his property, and found it rich in corn, beans, peanuts, and sorghum-molasses. Extensive fields were all round the house; I sent word back to General Davis to explain whose plantation it was, and instructed him to spare nothing. That night huge bonfires consumed the fence-rails, kept our soldiers warm, and the teamsters and men, as well as the slaves, carried off an immense quantity of corn and provisions of all sorts.

Thus, we have the authoritative testimony of General Sherman that the destruction wrought at Cobb's plantation consisted of taking supplies and burning fence-rails! From Sherman's point of view this was devastation.

The sentence "I would not restrain the army lest its vigor and energy should be impaired," which Page juxtaposes here, was written concerning something entirely different, and later, as follows:⁷

Taunting messages had also come to us, when in Georgia, to the effect that, when we should reach South Carolina, we would find a people less passive, who would fight us to the bitter end, daring us to come over, etc.; so that I saw and felt that we would not be able longer to restrain our men as we had done in Georgia.

Personally I had many friends in Charleston, to whom I would gladly have extended protection and mercy, but they were beyond my personal reach, and I would not restrain the army lest its vigor and energy should be impaired; and I had every reason to expect bold and strong resistance at the many broad and deep rivers that lay across our path.

The malicious intent is evident when Page lifts a sentence of Sherman out of its context, which shows that Sherman would not risk the impairment of the vigor of his army on entering a district which boasted of its hostility, and makes it apply to attacking an undefended plantation, and terms it

⁷ *Memoirs*, Vol. II, p. 254.

"warring on women." But, in order to make Sherman out a monster, facts must be distorted and the truth garbled.

The situation in South Carolina, to which Sherman refers in the passage just quoted, and which did not refer to the burning of the fence-rails at the Cobb plantation, is not generally known.

Page refers to the situation thus:

While this general was giving orders to convey prisoners first, or if prisoners were wanting, then non-combatant inhabitants, over all bridges and other places suspected of being mined, and "could hardly help laughing at their stepping so gingerly along the road where it was supposed sunken torpedoes might explode at each step."

It was apparently a heinous crime, as Page states it, for Sherman to protect his army from destructive mines and torpedoes, placed in the road by either Confederate soldiers or citizens. Page ignores the fact that when non-combatants wage war against soldiery, they must be treated as if they were soldiers. This is a law of war, and non-combatants in all wars have paid dearly for attacking armed troops.

But, let us see what Sherman really said about this subject of mining the roads:⁸

On the 8th, as I rode along, I found the column turned out of the main road, marching through the fields. Close by, in the corner of the fence, was a group of men standing around a handsome young officer, whose foot had been blown to pieces by a torpedo planted in the road. He was waiting for a surgeon to amputate his leg, and told me that he was riding along with the rest of his brigade-staff of the Seventeenth Corps, when a torpedo trodden on by his horse had exploded, killing the horse and literally blowing off all the flesh from one of his legs. I saw the terrible wound, and made full inquiry into the facts. There had been no resistance at that point, nothing to give warning of danger, and the rebels had planted eight-inch shells in the road, with friction matches to explode them by being trodden on. This was not war, but murder, and it made me very angry. I immediately ordered a lot of rebel prisoners to be brought from the provost-guard, armed with picks and spades, and made them

⁸ *Memoirs*, Vol. II, p. 194.

march in close order along the road, so as to explode their own torpedoes, or to discover and dig them up. They begged hard, but I reiterated the order, and could hardly help laughing at their stepping so gingerly along the road, where it was supposed sunken torpedoes might explode at each step, but they found no other torpedoes till near Fort McAllister.

From the above account it does not appear unjustifiable that General Sherman "could hardly help laughing" that the Confederates were in danger of falling into the pits they had dugged for others. He says nothing about non-combatants being placed at the head of the column, as Page suggests, but he certainly would have been guilty of unmilitary conduct if he had not protected his troops from injury and destruction. He would have been grossly incompetent if he had risked the lives of his own men when he had rebels who might take the chances of being hoisted with their own petards.

The planting of torpedoes was not ordered by those ignorant of the rules of warfare. There were many such orders issued in the endeavor to stop Sherman. On November 23, 1864, Jefferson Davis himself, wrote to an aide-de-camp at Augusta, Georgia, Col. William M. Browne:⁹

You will convey to generals commanding armies or posts in Southern Georgia my instructions that every effort will be made, by destroying bridges, felling trees, *planting sub terra shells*, and otherwise, to obstruct the advance of the enemy. (The italics are ours.)

But for the caution Sherman used, this order to mine the roads would have wreaked great havoc, and Sherman wisely took the only way which was certain to stop the murderous warfare. But, even then, soldiers were killed before this method of warfare was fully comprehended. In his letter of December 24, 1864, to General J. D. Webster, Sherman says:¹⁰

We lost two or three men, wounded by the explosion of two

⁹ O. R., Vol. 92, p. 880.

¹⁰ O. R., Vol. 92, p. 791.

torpedoes buried in the road, before entering the swamp; seven were dug up by prisoners we held.

General Slocum, writing from Sisters' Ferry, to General Sherman, says:¹¹ "Our road from the ferry is lined with torpedoes as far as we have gone. Two men were killed yesterday, and over thirty torpedoes were dug up yesterday by working party."

This was the introduction Sherman's Army received on entering South Carolina—illegal warfare!

The foregoing citations are sufficient to show that Thomas Nelson Page deliberately distorted and falsified the truth; but, even if he had spoken truly, it would not have justified secession and disunion.

¹¹ O. R., Vol. 99, p. 198.



MAJOR-GENERAL W. T. SHERMAN

From a war-time photograph of the collection of S. F. Stewart, Esq. Taken in the rear of breastworks. An unusual photograph, and highly valuable, showing, as it does, General Sherman mounted and in the midst of the Atlanta campaign.

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CHAPTER XVIII

GENERAL W. T. SHERMAN (*Continued*)

While, in the foregoing chapters, we have shown Page's intention to misrepresent and distort the truth, we did not attempt to refute each false allegation in what we have quoted from him, because we intend to take up the authorities he cites and let the reader learn the truth as we convict the other authorities of error, apparently as deliberate as that of Page.

The first of these "authorities" is James Ford Rhodes, whom Page describes as "an historian from his [Sherman's] State, who is his apologist and admirer."

The question may arise, as the half-truths and suppressions of Rhodes are set forth, why should a Union man, whose brother was in the Union Army, desire to injure a Union commander? ¹ The only answer we can suggest to this enigma is that, as an historian, Rhodes must have desired to have his histories circulated in the South, and the surest way to obtain this end was to laud Lee as the exemplar of the virtues of the South and to damn Sherman as the exemplar of the vices of the North.

That Rhodes injured Sherman, is proved by the use Page makes of his statements, and the fact that the falsehoods of both are accepted as truth in the South, where, most of all, the truth needs to be known and where it is most deliberately suppressed. Of course, Rhodes enters up some words of praise to Sherman's account, so that the history may be acceptable in the North, but the covert and open misrepresentations of which he is guilty leave a sting of untruth defamatory to a gallant commander and his gallant troops.

It is well to mention here that those interested in falsifying

¹ Rhodes, Vol. 4, p. 503.

the facts and misleading the public are careful not to show that the devastation wrought by Sherman was of a military character. This fact should always be kept in mind: when Sherman refers to devastation, he means the destruction of property which might be of value to the rebel army, and the rebels themselves at times destroyed a great deal of their own property, in order that it might not be of use to the Union Army, as their many orders on this subject show. To a man like Sherman, any destruction of property was devastating; but, as a master of military science, he did all in his power to confound the enemy, and one important object accomplished by him on his march was the destruction of much in the way of supplies which were meant for Lee's Army in Northern Virginia.

With this explanation, we take up what the historian Rhodes has to say about Sherman and his troops.

Since we have already quoted Page in connection with the Howell Cobb plantation, we will start out with what Rhodes says concerning it.² "It was the policy of the general," he says, "to forbear destroying private property but in one important case he deviated from the rule. Stopping for the night at a plantation which he discovered to be Howell Cobb's, he sent word to the corps commander, 'spare nothing.'" And there Rhodes stops. He does not add that Sherman makes it clear that fence-rails were burned and food supplies taken, and that this was the extent of the damage wrought. Yet he knew the truth, for he refers to the page in Sherman's *Memoirs* where these facts are stated.

Following this statement consecutively, Rhodes continues, and Page quotes him:³

In nearly all his dispatches after he had reached the sea he gloated over the destruction of property [Page quoted only so far] giving Halleck in his report written at Savannah the most emphatic statement of the damage which had been done. "We have consumed the corn and fodder in the region of country thirty miles on either side of a line from Atlanta to Savannah

² Rhodes, Vol. 5, p. 22.

³ *Ibid.*, p. 22.

as also the sweet potatoes, cattle, hogs, sheep and poultry, and have carried away more than 10,000 horses and mules as well as a countless number of slaves. I estimate the damage done to the State of Georgia and its military resources at \$100,000,000; of which \$20,000,000 has inured to our advantage and the remainder is simple waste and destruction. This may seem a hard species of warfare but it brings the sad realities of war home to those who have been directly or indirectly instrumental in involving us in its attendant calamities." Well might he say afterwards, "War is hell."

Rhodes takes his quotation just cited from the report made by General Sherman to General Halleck on January 1, 1865. It is Sherman's official report concerning his operations after November 12, 1864.⁴ There is, as the reader will observe, not a single word of "gloating," yet it is the best that Rhodes can offer to substantiate his statement. On the contrary, it is a brief and fitting statement of his military accomplishment in destroying what might be of military value, and redounds to his credit as a military genius and a modest man. Is there any gloating in the sentence, "This may seem a hard species of warfare, but it brings the sad realities of war home to those who have been directly or indirectly instrumental in involving us in its attendant calamities"?

We quote Rhodes further:

"There was a 'devil-may-care' feeling pervading officers and men," relates Sherman, "that made me feel the full load of responsibility." The tale of the march is not one of battle and inch by inch progress as was the campaign from Chattanooga to Atlanta. "As to the 'lion' in our path," wrote Sherman after he had reached Savannah, "we never met him."⁵

This brief quotation from Rhodes is interesting on account of what he omits from Sherman's statements. We will complete the first sentence as Sherman wrote it, italicizing that part omitted by Rhodes:⁶

⁴ O. R., Vol. 92, p. 13.

⁵ Rhodes, Vol. 5, p. 17.

⁶ Sherman, Vol. II, p. 179.

There was a "devil-may-care" feeling pervading officers and men, that made me feel the full load of responsibility, *for success would be accepted as a matter of course, whereas, should we fail, this "march" would be adjudged the wild adventure of a crazy fool.*

His anxiety was purely from a military standpoint, but, by citing only half the sentence, Rhodes gives a sinister aspect to the statement.

"As to the 'lion' in our path, we never met him," so quotes Rhodes. It is a pity, since Rhodes quoted that one sentence from Sherman's letter of December 23, 1864, that he did not quote what immediately followed, which we will cite:⁷

As to the "lion" in our path, we never met him. The affair at Griswoldville, where one brigade of infantry was engaged, and Kilpatrick's punishment of Wheeler, were the only things on the march like a fight.

The City [Savannah] is perfectly quiet ever since we came in. The first thing our troops had to do was to stop the riots and plundering which the lower classes begun as soon as Hardee's rear crossed the river. The white people here are the worst whipped and subjugated you ever saw, and the negroes are having their "Jubilee" and calling in crowds to see "Mr. Sherman."

So, far from plundering and rioting, the Union troops were used by General Sherman to suppress these evils in Savannah. Such facts cannot be made public if one desires to create the impression that Sherman devastated whatever he visited.

Rhodes cites only one sentence of Sherman's General Order No. 120, which we have set forth in full in the previous chapter, and that sentence is, "The army will forage liberally on the country during the march." He then cites Sherman's anecdote of the soldier with the honey, which we have already discussed.⁸ Rhodes nowhere indicates the truth, that Sherman's General Order, No. 120, was more drastic, as far as his soldiers were concerned, and wrought less havoc on the

⁷ O. R., Vol. 92, p. 793.

⁸ Rhodes, Vol. 5, pp. 19-20.

citizens than did Lee's orders, which he so admires. As we shall see in a later chapter, in directing his soldiers "to forage liberally," Sherman was only asking them to follow the example of the Confederates in hostile territory, and the most meticulous cannot object to that standard of excellence!

But, after discussing the foraging in general terms, Rhodes says:⁹ "Full of pride in his soldiers and elated at their manifestations of confidence in him [Sherman] he included in his report after the completion of the march this mild censure: 'A little loose in foraging they "did some things they ought not to have done."'"

Again Rhodes is guilty of quoting half a sentence in order to give a false impression. We will complete the sentence and the paragraph, taken from Sherman's official report to General Halleck, January 1, 1865;¹⁰

A little loose in foraging, they "did some things they ought not to have done," yet, on the whole, they have supplied the wants of the army with as little violence as could be expected, and as little loss as I calculated. Some of these foraging parties had encounters with the enemy which would in ordinary times rank as respectable battles. The behavior of our troops in Savannah has been so manly, so quiet, so perfect, that I take it as the best evidence of discipline and true courage. Never was a hostile city, filled with women and children, occupied by a large army with less disorder, or more system, order, and good government. The same general and generous spirit of confidence and good feeling pervades the army which it has ever afforded me especial pleasure to report on former occasions.

This fine tribute of Sherman to his men must naturally be suppressed, if one desires to create the impression that Sherman's men were marauders; and Rhodes' presentation of the fact is an excellent example of misrepresentation by half-truths and suppression. We think Sherman's statement compares favorably with the admission of Lee that "there have, however, been instances of forgetfulness on the part of some

⁹ Rhodes, Vol. 5, p. 20.

¹⁰ O. R., Vol. 92, p. 14.

that they have in keeping the yet unsullied reputation of the army."

Even covert defamation was not enough for Rhodes. He further says:¹¹

Various orders given from time to time show that there was not only lawless foraging but that there was an unwarranted burning of buildings. A more serious charge against the men of this Western Army is pillage. Sherman admits the truth of it and so does General Cox. Since the end of the campaign Sherman had heard of jewellery being taken from women and is of the opinion that these depredations were committed by parties of foragers usually called "bummers." Cox dubs with that name the habitual stragglers to whom he ascribes a large part of the irregular acts. Some of the pilfering was undoubtedly due to the uncontrollable American desire for mementos of places connected with great events. Moreover while three and one half years of civil war had built up an effective fighting machine, they had caused a relaxation in the rules of orderly conduct among its members so that it had come to be considered proper to despoil any one living in the enemy's country; but there was a sincere desire on the part of the commander and his officers to restrain the soldiers within the limits of civilized usage. The lofty personal character of most of the men in high command and the severity of the punishment threatened for breaches of discipline are evidence of this; and at least one soldier was sentenced for a petty theft "to be shot to death by musketry." Nor must it be overlooked that a good deal of plundering was done by bands of Confederates which people were prone to charge against Sherman's men.

In the foregoing citation there is much that will bear investigation. We will begin with the first sentence: "Various orders given from time to time show that there was not only lawless foraging but that there was an unwarranted burning of buildings." In proof of this, Rhodes refers in a footnote to seven different orders issued to Sherman's command. Investigating these references, we find that they were all issued within a short time after the Army started on "the march." Two of the orders are addressed to the 14th Corps, one to

¹¹ Rhodes, Vol. 5, pp. 23-4.

the 15th, one to the 17th, two to the 20th, and one "to the Army of the Tennessee." Therefore, the orders cited by Rhodes were not all issued to the same men, but to different men, and are proof that Sherman's General Order No. 120 was not meant for rhetorical effect, but was to be obeyed. Far from convicting the men of lack of discipline, they are proof that discipline would be maintained and offenders punished. In justice to Sherman's men, we will cite paragraphs from two different orders: General Orders, No. 25, to the 4th Division of the 17th Army Corps, November 17, 1863, contains this paragraph:¹²

IV. It is hoped and believed that both officers and men of this command will keep constantly in mind that we are not warring upon women and children. Foraging parties will take such articles as are needed for the health or subsistence of the men, but no houses will be entered by them, and all officers, guards, or soldiers are ordered to shoot on the spot any person caught firing a building, or any other property, without orders.

And Special Field Orders, No. 12, addressed to the First Division of the 14th Army Corps, November 17, 1864, contains the following:¹³

II. No houses, mills, or any buildings of any kind will be set on fire unless by order of the division commander, and care must be taken not to kindle or burn fires in the vicinity of forests, where they would be likely to spread over the country. This order will be read at the earliest practicable moment to every regiment in this division.

Is it not strange, we ask our readers, to twist such orders, meant to prevent unwarranted destruction by fire, into a proof of such destruction? And, further, if the existence of orders against the destruction of property is to be used as proof of such destruction, then Lee's army in Pennsylvania must stand convicted of such sins, for besides his two General Orders, 72 and 73, there are such orders as General Pendleton's of

¹² O. R., Vol. 92, p. 482.

¹³ O. R., Vol. 92, p. 483.

June 15, 1863, and General Stuart's of July 29, of the same tenor.¹⁴

All the reports concerning the destruction wrought under Sherman's orders make it plain that what was destroyed was of military value. In his letter to General Webster, December 23, 1864, we find such references as these:¹⁵

On the 13th, 14th, and 15th we broke up the railroad from the Etowah to Atlanta, and by the night of the 15th, the whole army was in or around Atlanta, ready for the forward movement. Marietta, Cassville, and Atlanta are destroyed in all respects, *save mere dwelling houses*, and cannot be used to our prejudice for three years. . . . (The italics are ours.)

Corse, at Rome, burned the bridges and all property that could be used by an enemy to our disadvantage. . . .

The penitentiary at Milledgeville was burned by convicts before our arrival. I burned the railroad buildings and the arsenal; the State House and Governor's mansion I left unharmed.

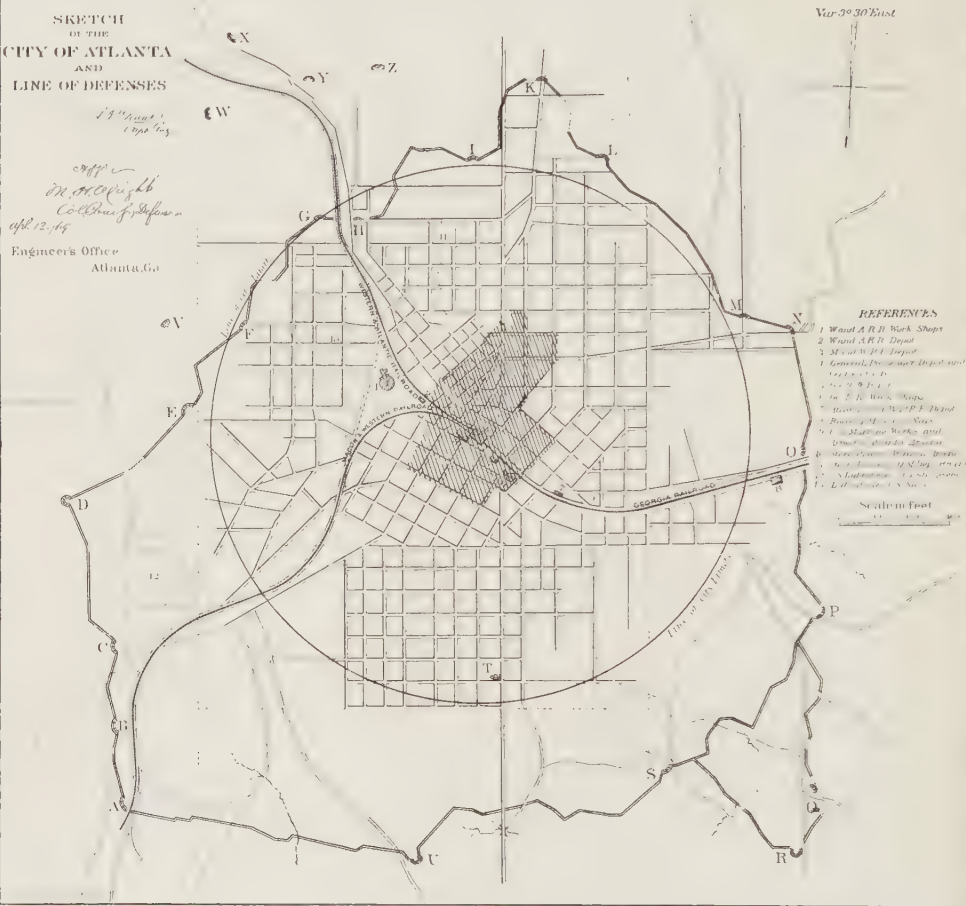
When reference is made to the burning of Atlanta, it is generally done in such a way—witness the photoplay, *The Birth of a Nation*—as to lead to the conclusion that Sherman burned everything. This is false. He himself, in his *Memoirs*, says:¹⁶

Colonel Poe, United States Engineers, of my staff, had been busy in his special task of destruction. He had a large force at work, had leveled the great depot, round house, and the machine shops of the Georgia Railroad, and had applied fire to the wreck. One of these machine-shops had been used by the rebels as an arsenal, and in it were stored piles of shot and shell, some of which proved to be loaded, and that night was made hideous by the bursting of shells, whose fragments came uncomfortably near Judge Lyon's house, in which I was quartered. The fire also reached the block of stores near the depot, and the heart of the city was in flames all night, but the fire did not reach the parts of Atlanta where the court-house was, nor the great mass of dwelling-houses.

¹⁴ O. R., Vol. 45, pp. 895, 1050.

¹⁵ O. R., Vol. 92, pp. 788-9.

¹⁶ Vol. II, p. 177.



MAP OF ATLANTA, GEORGIA

The original of this map was made by an engineer officer of the Confederate army and was approved by Col. M. H. Wright, commanding the defenses of the city, April 12, 1864, and copied from the War Atlas, published by the United States as part of the Official Records, War of the Rebellion. The line of defenses is shown by the heavy black line surrounding the city. The area burned by General Sherman's order of November 15, 1864, is shown by the shaded part near the center, which was marked in 1927 by the late Col. W. M. Scott, who had been an officer in the Union army, and had been in the real estate business in Atlanta for about fifty years.

There were also destroyed detached properties, including all railroad work-shops and depots, the rolling-mill of the Confederate navy, machine works, arsenals, laboratories, and a steam tannery.

No citizens were residing in Atlanta at the time it was burned.

Colonel O. M. Poe, to whom Sherman refers, in his report of October 8, 1865, says concerning the military destruction he wrought in Atlanta:¹⁷

On the morning of the 12th General Sherman directed me to proceed with my work, but to be careful not to use fire, which would endanger other buildings than those set apart for destruction. The engineer regiments were divided into detachments, under picked officers, each of whom received a written order as follows:

You will please take the detachment now under your orders to the first high chimney (stating locality and buildings) and throw it down, and continue the work along (stating the route) until you reach (the point designated as the limit of work for this detachment), being careful not to use fire in doing the work, since it would endanger buildings which it is not intended to destroy.

These orders were faithfully carried out, and neither fire nor powder was used for destroying buildings until after they had been put in ruins by battering down the walls, throwing down smokestacks, breaking up furnace arches, knocking steam machinery to pieces, and punching all boilers full of holes. The railroads within the limits of the old rebel defenses were destroyed The depots, car-sheds, machine shops, and water-tanks were also destroyed.

It was not until evening of the 15th of November that fire was applied to the heaps of rubbish we had made. I was upon the ground in person to see that the work was done in a proper and orderly manner; and, so far as engineer troops were concerned, this was the case. But many buildings in the business part of the city were destroyed by lawless persons, who, by sneaking around in blind alleys, succeeded in firing many houses which it was not intended to touch.

The statements of General Sherman and Colonel Poe, just cited, tell the truth, that the greater part of Atlanta was not burned; only that part which was of military value was destroyed by Sherman's command. The truth is not damning

¹⁷ O. R., Vol. 92, p. 60.

to General Sherman, so it is generally suppressed. Later we will refer again to the misrepresentations about the burning of Atlanta.

We will now consider Rhodes' next sentence: "A more serious charge against the men of this Western Army is pillage. Sherman admits the truth of it and so does General Cox." Like many other statements of Rhodes, this will bear looking into. He refers to Sherman's *Memoirs* as proof that the commander admits the truth of the charge.

The following words appear in Sherman's statement, and, in order to make a case against him, Rhodes omits reference to the last seven words, which give an entirely different value to his "admission":¹⁸

No doubt, many acts of pillage, robbery, and violence, were committed by these parties of foragers, usually called "bummers"; for I have since heard of jewelry taken from women, and the plunder of articles that never reached the commissary; *but these acts were exceptional and incidental.* [The italics are ours.]

The fact that such acts "were exceptional and incidental," Rhodes suppresses, yet justice demands that, if he cited Sherman as an authority that there was pillaging by his army, then he should cite him also as an authority for the fact that it was "exceptional and incidental."

We are glad, however, that Rhodes had the grace to quote Sherman's statement immediately following the above-mentioned omission that, "I never heard of any cases of murder or rape." Rhodes' comment on this is:

The acts of these Western soldiers as I have described them from a collation of the evidence are such as any one who knew them well would expect them to commit. Treating the property of the enemy as proper spoil they respected the women. The reverence of the American soldier for his mother and sisters fostered a sentiment in the rank and file which frowned forbid-
dingly on the crime of rape.¹⁹

¹⁸ Sherman's *Memoirs*, Vol. II, pp. 182-3.

¹⁹ Rhodes, Vol. 5, p. 25.

There is abundant evidence, some of which we will consider in a later chapter, that the Southerners, in spite of their rhetorical effects to the contrary, were not afraid to trust the honor of their women to the honor of the Union soldier.

Rhodes refers to General Cox as a part of his "collation" of evidence; but, as he does not quote what Cox says, we will do so, for two reasons: first, it gives the facts; second, it is probably the finest description of Sherman's march that has been written:²⁰

The subsistence of the army upon the country was a necessary part of Sherman's plan, and the bizarre character given it by the humor of the soldiers has made it a striking feature of the march. It is important, however, to distinguish between what was planned and ordered, and what was an accidental growth of the soldier's disposition to make sport of everything that could be turned to amusement. The orders issued were of a strictly proper military character. The supplies in the trains were to be treated as a reserve to be drawn upon only in case of necessity, and a systematic foraging upon the country for daily food was the regular means of getting rations. Each regiment organized a foraging party of about one-twentieth of its numbers under command of an officer. These parties set out first of all, in the morning, those of the same brigades and divisions working in concert, keeping near enough together to be a mutual support if attacked by the enemy, and aiming to rejoin the column at the halting place appointed for the end of the day's march. The foragers became the *beau ideal* of partisan troops. Their self-confidence and daring increased to a wonderful pitch, and no organized line of skirmishers could so quickly clear the head of column of the opposing cavalry of the enemy. Nothing short of an intrenched line of battle could stop them, and when they were far scattered on the flank, plying their vocation, if a body of hostile cavalry approached, a singular sight was to be seen. Here and there, from barn, from granary and smoke-house, and from the kitchen gardens of the plantations, isolated foragers would hasten by converging lines, driving before them the laden mule heaped high with vegetables, smoked bacon, fresh meat, and poultry. As soon as two or three of these met, one would drive the animals, and the others, from fence corners or behind trees, would begin a

²⁰ Cox's *March to the Sea*, p. 38 *et seq.*

bold skirmish, their Springfield rifles giving them the advantage in range over the carbines of the horsemen. As they were pressed they would continue falling back and assembling, the regimental platoons falling in beside each other till their line of fire would become too hot for their opponents, and these would retire reporting that they had driven in the skirmishers upon the main column which was probably miles away. The work of foraging would then be resumed. It was of the rarest possible occurrence that Wheeler's men succeeded in breaking through these enterprising flankers and approaching the troops of the line, and as the columns approached the place designated for their evening camp, they would find this ludicrous but most bountiful supply train waiting for them at every fork of the road, with as much regularity as a railway train running on "schedule time."

They brought in all animals that could be applied to army use, and as the mule teams or artillery horses broke down in pulling through the swamps which made a wide border for every stream, fresh animals were ready, so that on reaching Savannah the teams were fat and sleek and in far better condition than they had been at Atlanta.

The orders given these parties forbade their entering occupied private houses, or meddling with private property of the kinds not included in supplies and munitions of war, and in the best disciplined divisions these orders were enforced. Discipline in armies, however, is apt to be uneven, and among sixty thousand men there are men enough who are willing to become robbers, and officers enough who are willing to wink at irregularities or to share the loot, to make such a march a terrible scourge to any country. A bad eminence in this respect was generally accorded to Kilpatrick, whose notorious immoralities and rapacity set so demoralizing an example to his troops that the best disciplinarians among his subordinates could only mitigate its influence. His enterprise and daring had made his two [three] brigades usually hold their own against the dozen which Wheeler commanded, and the value of his services made his commander willing to be ignorant of *escapades* which he could hardly condone, and which on more than one occasion came near resulting in Kilpatrick's own capture and the rout of his command. But he was quite capable, in a night attack of this kind, of mounting, bare-backed, the first animal, horse or mule, that came to hand, and charging in his shirt at the head of his troopers with a dare-devil recklessness

that dismayed his opponents and imparted his own daring to his men.

Then, the confirmed and habitual stragglers soon became numerous enough to be a nuisance upon the line of march. Here again the difference in portions of the army was very marked. In some brigades every regiment was made to keep its own rear guard to prevent straggling, and the brigade provost guard marched in rear of all, arresting any who sought to leave the ranks, and reporting the regimental commander who allowed his men to scatter. But little by little the stragglers became numerous enough to cause serious complaint, and they followed the command without joining it for days together, living on the country, and shirking the labors of their comrades. It was to these that the name "bummer" was properly applied. This class was numerous in the Confederate as in the National Army, in proportion to its strength, and the Southern people cried out for the most summary execution of military justice against them. Responsible persons addressed specific complaints to the Confederate War Secretary, charging robbery and pillage of the most scandalous kinds against their own troops. Their leading newspapers demanded the cashiering and shooting of colonels and other officers, and declared their conduct worse than the enemy's. It is perhaps vain to hope that a great war can ever be conducted without abuses of this kind, and we may congratulate ourselves that the wrongs done were almost without exception to property, and that murders, rapes, and other heinous personal offences were nearly unknown.

The great mass of the officers and soldiers of the line worked hard and continuously, day by day, in marching, in bridging streams, in making corduroy roads through the swamps, in lifting the wagons and cannon from mud-holes, and in tearing up the railways. They saw little or nothing of the people of the country, and knew comparatively little of the foragers' work, except to enjoy the fruits of it and the unspeakable ludicrousness of the cavalcade as it came in at night. The foragers turned into beasts of burden, oxen and cows as well as the horses and mules. Here would be a silver-mounted family carriage drawn by a jackass and a cow, loaded inside and out with everything the country produced, vegetable and animal, dead and alive. There would be an ox-cart, similarly loaded, and drawn by a nondescript tandem team, equally incongruous. Perched upon the top would be a ragged forager, rigged out in a fur hat of a fashion worn by

dandies of a century ago, or a dresscoat which had done service at stylish balls of a former generation. The jibes and jeers, the fun and the practical jokes ran down the whole line as the *cortege* came in, and no masquerade in carnival could compare with it for original humor and rollicking enjoyment.

This is a brilliant picture of the great march of an army through an enemy's country, a march the like of which was probably never seen before, nor has been seen since. It was not an army of sodden brutes who made the citizens of the country their prey, but an army of gallant men under a gallant leader, who, making their way through a country helpless to restrain them, probably did as little damage as any army ever wrought, and this notwithstanding the fact that the hostile people were absolutely at their mercy.

From General Cox's statement, it is evident that, like every other army, Sherman's had its stragglers, who failed to obey the drastic orders of the great commander. The depredations of such men was one of the hardships which war imposes on civilians; but from the general orders issued by the various commanders, it was the evident intent that the people of the country should not be molested, except where they committed overt acts of hostility, such as the people of Pennsylvania never offered to Lee's Army.

If the allegations of General Cox and historian Rhodes are correct concerning the character of General Kilpatrick, then we can only say that while Sherman had his Kilpatrick, Lee had his Early, as we shall later show.

As to General Kilpatrick and his command: General Cox did not consult the *Official Records*, as they were not then published. He, therefore, may not have known the provocation under which Kilpatrick acted. But Rhodes knew it when he wrote against Kilpatrick: ²¹

The evidence shows however that many of the general officers did their best to stop the depredations of their soldiers, and some punishments were inflicted. From this statement must again be excepted Kilpatrick whose command suffered no restraint and were forward in destruction and pillage. Upon some

²¹ Rhodes, Vol. 5, pp. 88-9.

of his men was visited a summary punishment. Kilpatrick made this report to Sherman: "An infantry lieutenant and seven men were murdered yesterday by the Eighth Texas Cavalry after they had surrendered. We found their bodies all together and mutilated with paper on their breasts saying, 'Death to foragers.' Eighteen of my men were killed yesterday and had their throats cut." Thereupon Sherman ordered Kilpatrick, "to select of his prisoners man for man, shoot them and leave them by the roadside labelled so that our enemy will see that for every man he executes he takes the life of one of his own." . . . Sherman gave notice to Wade Hampton who was now in command of the Confederate Cavalry of his intention to retaliate for the murder of Union soldiers, receiving in reply the threat that the Confederates would execute two for one.

This condensed statement of the murder of Kilpatrick's men in South Carolina, with its various sentence quotations, gives little of the truth, but the references to the *Official Records*, cited in the footnotes, give much valuable data concerning these murders, which are too voluminous to cite, but a general whose men have been murdered by a rebel people is not likely to restrain his men as much as other generals. While in Georgia, General Kilpatrick wrote to General Wheeler on December 13, 1864, saying: ²²

Your communications of December 5 [6] and 11 have just been received. In reference to the depredations committed by my command while marching through your country, I will simply say that the same complaints have been made by the citizens of Georgia against officers and men of your own command, and call your attention to Governor Brown's message on that subject. [See next chapter.] If you cannot control your men while they are among their friends, you cannot expect me to prevent my men from committing depredations upon their known enemies—a people who have betrayed them in the past, and for whom they have now no sympathy. Do not understand by this that I have allowed my men to commit depredations along my line of march; such has not been the case. An order has been issued to my command authorizing and instructing my officers to shoot upon the spot any soldier who shall be caught committing any outrage.

²² O. R., Vol. 92, p. 706.

War is terrible, and the people of Georgia are now being made to feel this in all its force. Had the people of the Confederate States, and especially those of South Carolina, ever known and felt what the people of Georgia know and feel now, no hostile shot would ever have struck the sacred walls of Sumter. I am willing and ready now, as I know my Government always has been, to enter at once into any fair exchange of prisoners. I will consult with Major-General Sherman on the subject, and give you his decision at the earliest possible moment.

Thanking you, general, for your kind attention to one of my officers, and for returning to me a book high prized.

This letter of Kilpatrick shows that, like other commanders under Sherman, he proposed to enforce the orders issued by his superior officer. Rhodes refers to this letter in a footnote (without quoting, of course), not to show Kilpatrick's intents and purposes, but as corroboration of his slight allusion to Confederate pillaging.

Before leaving the subject of Kilpatrick, we will cite General Sherman's letter to General Wade Hampton, as it discloses not only his conclusions concerning the murders of Kilpatrick's men, but also on the general subject of foraging. It was written February 24, 1865, as follows: ²³

GENERAL: It is officially reported to me that our foraging parties are murdered after capture and labeled "Death to all foragers." One instance of a lieutenant and seven men near Chester-ville, and another of twenty "near a ravine eighty rods from the main road" about three miles from Feasterville. I have ordered a similar number of prisoners in our hands to be disposed of in like manner. I hold about 1,000 prisoners captured in various ways, and can stand it as long as you; but I hardly think these murders are committed with your knowledge, and would suggest that you give notice to the people at large that every life taken by them simply results in the death of one of your Confederates. Of course you cannot question my right to "forage on the country." It is a war right as old as history. The manner of exercising it varies with circumstances, and if the civil authorities will supply my requisitions I will forbid all foraging. But I find no civil authorities who can respond to calls for forage or provisions, therefore must collect directly of the people. I have no doubt

²³ O. R., Vol. 99, p. 546.

this is the occasion of much misbehavior on the part of our men, but I cannot permit an enemy to judge or punish with wholesale murder. Personally I regret the bitter feelings engendered by this war, but they were to be expected, and I simply allege that those who struck the first blow and made war inevitable ought not, in fairness, to reproach us for the natural consequences. I merely assert our war right to forage and my resolve to protect my foragers to the extent of life for life.

A study of the reports and orders published in the *Official Records* shows that it was the desire of Sherman and his officers to restrain and prevent pillaging. There were exceptions, as the records show, but, as Sherman has pointed out in his *Memoirs*, they *were* exceptions; however, present-day historians cite these exceptions as if they were the rule, and omit reference to the many records which show the manly behavior of the great majority of Sherman's men.²⁴

²⁴ The active propaganda to discredit Union soldiers by defamatory statements has been going merrily on for a long time. Hendrick Willem Van Loon, in his serial article *America*, which ran in the *Woman's Home Companion*, betrays himself as one of these propagandists in the February, 1927, issue, wherein he says, concerning General Sherman's wonderful achievement:

"Sherman marched from one end of Georgia to the other, performing such miracles of wanton destruction that decent Northerners have never ceased to feel ashamed of this spectacular but altogether useless display of ferocity."

The whole February number, wherein he considers the Civil War, is full of inaccuracies and biased statements: but, for the purposes of this chapter, it is sufficient to cite the above misrepresentation only, as it marks Mr. Van Loon as being, either deliberately defamatory or else unworthy of the name historian.

CHAPTER XIX

CONFEDERATE PILLAGING WHICH HAS BEEN ATTRIBUTED TO SHERMAN

The reader has, no doubt, noted that while Rhodes gives considerable space to the discussion of pillaging and destruction wrought by Union soldiers in the South, he contents himself with only a delicate reference to the damage done by Confederates in their own country by saying, "Nor must it be overlooked that a good deal of plundering was done by bands of Confederates which people were prone to charge against Sherman's men." He gives some references in a footnote, but, from the casual remark just quoted, the reader would never suspect the real condition, nor the extent of the havoc wrought by the Confederates upon Confederates.

So, as historians interested in circulating their books in the South and writers interested in glorifying the Confederacy and its leaders are silent on this subject, we shall here present a few of the facts, and let the reader judge between Sherman's men and the Confederates in the Southland.

General Cox refers to this condition in what we have quoted in the previous chapter: "Responsible persons addressed specific complaints to the Confederate War Secretary, charging robbery and pillage of the most scandalous kinds against their own troops," etc., and General Kilpatrick refers to it in his letter to General Wheeler. As Rhodes, Cox, and Kilpatrick were Northern men, we shall not ask that their statements shall be taken as authoritative, but will present proof from Confederate sources.

In Appendix C, under the title *Confederate Stragglers*, General Cox cites Confederate authorities as follows:

The assertion has been so often and so persistently made in the South, since the war, that devastation of property was only

practiced by the National troops, that it is well to preserve for reference such extracts from their newspaper press as the following:

Extracts from a letter to the Confederate Secretary of War, published in the *Charleston Courier* of January 10, 1865, and in the *Charleston Mercury* (tri-weekly) of January 11th:

I cannot forbear appealing to you, in behalf of the producing population of the States of Georgia and South Carolina, for protection against the destructive lawlessness of members of General Wheeler's command. From Augusta to Hardeeville, the road is now strewn with corn left on the ground unconsumed. Bees have been shot down in the fields, one quarter taken off, and the balance left for buzzards. Horses are stolen out of wagons on the road, and by wholesale out of stables at night. . . . Within a few miles of this neighborhood, Wheeler's men tried to rob a young lady of a horse while she was on a visit to a neighbor's, but for the timely arrival of a citizen, who prevented the outrage being perpetrated. It is no unusual sight to see these men ride late into camp with all sorts of plunder. Private houses are visited; carpets, blankets, and other furniture they can lay their hands on are taken by force in the presence of the owners," etc.

In an editorial of a column in length *apropos* to the above, the editor of the *Mercury* says: "There must be radical reform. It is folly to talk of red-tape now. We want *the thing*; we must have it: reform—shooting—cashiering—order—subordination—soldiers—not runaways, ragamuffins, ruffians."

The following is from the *Savannah Republican* of October 1, 1864: "It is notorious that our own army, while falling back from Dalton, was even more dreaded by the inhabitants than was the army of Sherman. The soldiers, and even the officers, took everything that came in their way, giving the excuse that if they did not, the enemy would. Subsequently, stragglers from our own army almost sacked the stores in Atlanta. Now, complaints loud and deep come up from that portion of Georgia in the neighborhood of our

army, telling of outrages committed by straggling squads of cavalry, and of insults offered to the families of the best and most patriotic citizens."

The following is from the *Richmond Whig*, being part of a letter of a correspondent of that paper, soon after Sherman marched north from Columbia. Republished in *Army and Navy Journal*, March 18, 1865. Speaking of the Confederate evacuation of Columbia, S. C., the writer says: "The worst feature of the entire scene occurred on the day of which I write. A party of Wheeler's cavalry, accompanied by their officers, dashed into town, tied their horses, and as systematically as if they had been bred to the business, proceeded to break into the stores along Main street, and rob them of their contents. Under these circumstances, you may well imagine that our people would rather see the Yankees, or old Satan himself, than a party of the aforesaid Wheeler's cavalry. The barbarities committed by some of them are represented to be frightful."

The *Richmond Enquirer* of October 6, 1864, contained the following, with reference to Early's command in the Valley of Virginia. After speaking of the drunkenness habitual among them, from the chief downward, its correspondent says: "The cavalry forces that had been operating in the Valley, and fitting hither and thither along the Potomac and Shenandoah were already demoralized, and since their last visit to Maryland, they have been utterly worthless. They were in the habit of robbing friend and foe alike. They have been known to strip Virginia women of all they had—widows whose sons were in our army—and then to burn their houses. At Hancock, in Western Maryland, they stopped a minister of the Gospel in the street on the Sabbath day, and made him stand and deliver his money. These monstrous truths are stated in the official report of the officer commanding a part of these cavalry forces, and which I have read."

When General Cox cited these unwholesome truths from the Confederate press, he probably did not have access to the *Official Records of the War of the Rebellion*, and did not know how vast was the pillaging carried on by the Confederates among their own people, as shown by the many orders, letters, and reports on this subject. The newspaper items cited

above give but an inkling of the real situation. It may seem cruel to withdraw the curtain and reveal this unpalatable truth, so carefully concealed and suppressed by writers of today; but, in justice to the Union soldiers who are now blamed for all the destruction wrought by the Confederates themselves, and since Southern chivalry is not valorous enough to speak the truth concerning a gallant foe, we will give dishonor to whom dishonor is due, which would not be necessary if the Union soldiers were not systematically defamed and misrepresented.

We would not for a moment have it thought that all the rebels opposing Sherman were despoilers, any more than that all of Sherman's men were stragglers.

In this chapter we will cite but a few more documents sufficient to substantiate the reports of the Confederate newspapers, and later we will return to the general subject of Confederate pillaging.

General Order No. 6, issued from Montgomery, Alabama, December 7, 1864, contains the following paragraphs: ¹

I. General Beauregard has seen, with pain and mortification, that large numbers of the Confederate cavalry are absent from their colors without leave, avoiding all duty, shirking from contact with the enemy, roaming over the country engaged in the pillage and robbery of defenseless women and loyal citizens, and devastating a fair and fruitful country, on the productions of which our country depends. He has determined that a rigid scrutiny shall be had in regard to all such acts, and will bring to punishment offenders. He enjoins on all commanders to institute immediate inquiry, arrest offenders, and bring them to trial. Existing orders and regulations on the subject of transferring dismounted cavalrymen—those guilty of improper conduct in face of the enemy and of violence to citizens—must be strictly executed.

II. To this end depots will be established at Macon, Opelika, and Okolona, under command of officers of rank and discretion, to which commanders of cavalry will all immediately send all cavalrymen who are dismounted, or who do not keep themselves prepared with serviceable horses, or shall misbehave before the

¹ O. R., Vol. 94, p. 658.

enemy, or shall be guilty of illegally wasting, spoliating, or appropriating to their own use any private property, or doing violence to any citizen.

This General Order of General Beauregard is a comprehensive revelation of the situation in his part of the Confederacy; we will now cite statements which show the situation from the standpoint of the civilian. P. A. Lawson, writing from Griffin, Georgia, on December 27, 1864, to Jefferson Davis, says concerning the waste and ruin wrought by the Confederates:²

DEAR SIR: From a sentiment contained in your speech at Macon, in this state, viz., that you read all letters written to you, I am emboldened to address this note to you. Unless something is done, and that speedily, too, there will be thousands of the best citizens of this State, and heretofore as loyal as any men in the Confederacy, that will not care one cent which army is victorious in Georgia. I say this with heartfelt sorrow and deep regret. I cannot believe that you are fully aware of the true state of things in Middle Georgia. Let me enumerate some facts which have been and are yet being enacted in the section where I live.

Since August last there have been thousands of cavalry and wagon trains feeding upon our corn-fields, and for which quartermasters and officers in command of trains, regiments, battalions, companies, and squads have been giving the farmers their receipts, and we were all told that those receipts would pay our Government taxes and tithing; and though many of those receipts were signed by bonded quartermasters, yet not one of them will be taken by our collector. But again: When General Sherman left Atlanta Wheeler's cavalry commenced their retreat before him, and but a handful of Sherman's men ran W[heeler's] whole command down to Griffin, and while S[herman's] army was marching through Fayette, Clayton, Henry, and Butts, Wheeler's cavalry was burning up all the corn and fodder, driving off all the stock of the farmers for ten miles on each side of the railroad, all of from ten to twenty-five miles to the right and rear of Sherman's forces. Worse than all, the stock of mules and horses which General Wheeler's forces carried off, nine out of ten they have appropriated to their own use. In consequence of which

² O. R., Vol. 129, p. 967.

there will be thousands of acres of lands uncultivated the next year for the want of plow stock, which has been stolen from them by men claiming to act under orders from those high in authority. There are hundreds of families that have not one ear of corn left, whose husbands are now in the Army, and have been for the last three years, and now we are notified that our tithing must be paid. Our corn eaten up, or rather wasted or burnt, our fattening hogs shot down because too fat to drive, I ask, how can we pay our tithing? And yet we are threatened with having our lands sold for taxes. Our scrip for corn, used by the orders of our generals, will not be taken.

Again, there is another thing giving great offense. Two days since a soldier's wife wanted to pay her tax, which was \$87. She had a certificate for \$100 for that amount of the old issue which she had deposited. The collector refused to give her the change, even in the old issue. She then offered the collector the certificate of \$100 for the tax, which was only \$87, and he would not do that. The wife of the poor soldier had to submit to a shave by one then present of 50 cents on the dollar upon her certificate and then borrow \$37 to pay her taxes, paying \$137 for her tax of \$87 only. Is this law? Can it be so? I then protested against it, and I still do. If that is the law of the Confederacy I do not wonder that there are so many men absent from the Army. Once more. How is it that we have certified claims upon our Government, past due ten months, and when we enter the quartermaster's office we see placed up conspicuously in large letters, "No funds"? Some of these said quartermasters [who] four years ago were not worth the clothes upon their backs are now large dealers in lands, negroes, and real estate. I speak of facts. Again. How is it, sir, that many of our brave men who fought with the immortal Taylor at Buena Vista have been sacrificed by drunken officers high in command now in Georgia? This I assert is true.

In conclusion, let me ask you what is to become of the families of our soldiers whose corn has been destroyed? I know of one man, though he has suffered seriously by Wheeler's robbers, he is now, as he has been for three years, selling corn to soldiers' families for \$1.50 per bushel in the old currency; and I do hope and pray that Congress will pass a law that any man or woman who sells corn for more than \$2 per bushel and wheat over \$3, pork over 20 cents, oats \$2, fodder \$1.50 per hundred pounds—if a man, he shall be sent to the front, and if a woman she shall

forfeit \$100 for every bushel sold above \$2, and any merchant or trader that shall sell any article above 400 per cent. what that article was worth before the war shall either be sent to the front or pay a fine of ten times its value. Such a law would send thousands of absent soldiers back to their commands. I have not put down aught in malice. That you may know who I am and my standing, I refer you to the names found below.

With a sincere desire and prayer to God that your life may be spared for many years,

I am, very truly, your obedient servant,

P. A. LAWSON.

References: His Excellency J. E. Brown, Milledgeville, Ga.; Hon. E. A. Nisbet, L.L.D., Macon, Ga.; Hon. R. P. Trippe, Forsythe, Ga.; editors *Intelligencer*, Atlanta, Ga."

We cite this letter in full, not only for the information it contains concerning the devastation wrought by the Confederates themselves among their own people, but because it presents the fact that much of the poverty in the South, after the war, was caused, not by the Union troops, but by the acts of the Confederate Government and its representatives.

How many readers realized before this presentation that the evidence of the records shows that Sherman did not leave a wide swath of burned area, and that the Confederates did? This letter is one of many proofs that the Confederates waged destruction on their own; yet how many present-day historians and apologists for the Confederacy let this fact become public? They cannot do so without taking the curse off of Sherman's shoulders and putting it on Confederates.

We will cite some other references to Wheeler's Cavalry before we take up further charges against Sherman.

An article in a Richmond paper of February 20, 1865, contained the following reference:³ "Charlotte is thronged with refugees from Columbia, who report that some of Wheeler's Cavalry plundered the city before the evacuation." This statement shows that Wheeler's command had not changed its ways after leaving Georgia, and we will consider it further under the head of the burning of Columbia.

³ O. R., Vol. 96, p. 599.

In justice to General Wheeler, however, we call attention to his letter to General Bragg of December 28, 1864: ⁴

DEAR GENERAL: The loss of Savannah I presume you anticipated. I felt convinced myself it could not be held, immediately upon my arrival and learning that no re-enforcements could be expected.

I presume you have been mortified to hear the complaints and charges which have been made against my command. The first charge was that my command straggled. This is partially true, but the great cause was the issuing of an illegal order by General Taylor directing General Clanton to organize all absentees from the army into ninety-days' regiments. This order was, of course, abused, as all illegal orders generally are, and his officers enlisted men directly from my ranks, and this nearly ruined one brigade and had a bad effect upon my entire command. After such action on his part he was so unkind as to heap upon me abuse for the very thing which he (General Taylor) has caused. Of course there was other apparent straggling, always incident to rapid movement while watching or engaging an enemy.

With regard to horse stealing, all was charged to me, while the facts are as follows: My command captured a great number of horses from the enemy which were the property of citizens. All of these horses are being restored to their owners as rapidly as possible. As the enemy advanced I sent officers on in advance to advise citizens to take off their horses and mules. When this duty was neglected I had details drive them off and thus saved them from the enemy. This stock has been or is being returned to the owners when it is possible to do so.

You have no doubt heard that I burnt mills after the enemy had passed. This is false. In my anxiety to save property I placed guards at mills, directing them to remain until the enemy drove them off, and only to fire the mill when they saw it was impossible to remain any longer.

I have positive proof that the country swarmed with organized parties who do not and never did belong to my command. Most of these parties were acting under orders from Governor Brown, but in all their stealing they claimed to belong to Wheeler's cavalry. I now have the names of sixteen organized parties who steal on my credit. I have now run them off, and the difficulty

⁴O. R., Vol. 92, p. 998.

has ceased. Captain Conway, who acted so badly, is not and never was in my command. He was acting under orders from Maj. Norman W. Smith. . . .

From this letter, it is seen that, far from denying the havoc wrought by Confederate soldiers, General Wheeler acknowledges the condition, but passes the responsibility on to Governor Brown. Sixteen organized parties can do a vast deal of damage to a helpless community.

We will now hear what Governor Brown has to say:⁵

PROCLAMATION BY JOSEPH E. BROWN, GOVERNOR OF GEORGIA.

While our noble armies are doing everything in their power to defend our homes and property and are entitled to the lasting gratitude and active support of the people of this State and of the whole Confederacy, and while the militia have left their homes unprotected and have taken up arms and acted with the gallantry of veterans upon almost every battle-field from Powder Springs to Griswoldville, it is a matter of extreme mortification to know that a large part of our cavalry force, which should hang around and constantly annoy the enemy as he passes through our State and cut off his foraging parties and impede his march, have left their commands and are now scattered in squads and in small bands over nearly half the territory of the State robbing and plundering the citizens indiscriminately and taking from the wives and children of our soldiers who are in service discharging their whole duty the supplies of provisions which are their only means of support. These predatory bands of thieves and robbers, who devastate the country under pretext of making impressments of property for the use of the army, are a disgrace to the commands to which they profess to belong, and I am sure their conduct meets the unqualified condemnation and scorn of every true soldier in the army. All other means for the suppression of this indiscriminate robbery having failed, the people are obliged, as far as they have the ability, to depend upon their natural rights of self-protection by the use of force.

I therefore call upon the justices of the inferior courts, clerks,

⁵ O. R., Vol. 111, pp. 376-7.

sheriffs, and all other persons remaining at home not subject to my last call to organize and arm themselves as best they can, and whenever a band of these plunderers enters the county and takes the property of any citizen by force to pursue them immediately and shoot them down whenever they find them, and to report the fact, if the force is more than they can manage, to Lieutenant General Taylor, at Macon, who will, while he remains in Georgia, uphold and sustain the people by force. I am authorized by General Taylor to say that he will give the citizens all the aid in his power to slay ["slay" in original] them when and wherever they are found committing the outrages above mentioned, and in plain cases where proof of robbery is satisfactory and the parties can be identified he will order them shot as soon as they can be apprehended and the facts established. For this protection the whole people of the state will owe General Taylor a lasting debt of gratitude. No officer or band of men is authorized to make any impressment of private property without the exhibition of competent authority from the War Department. Till further notice, no impressments will be legal unless the party making them exhibits an order from Maj. Norman W. Smith, Maj. Gen. Howell Cobb, or in special cases from Major-General Wheeler, over his own signature, specifying the necessity and the particular property to be taken, or an order from some general of higher rank than any above mentioned, and then only when there is a strict compliance with the laws of Congress regulating impressments. All who attempt to impress without an order over the signature of one of the officers above mentioned are robbers, and will be shot down by one able to do it.

Given under my hand and the seal of the executive department this 24th day of November, 1864.

JOSEPH E. BROWN.

In the face of such evidence as this, present-day writers either shift the responsibility for such vandalism—acknowledged by the Confederate authorities and stated by the Governor to cover nearly half of the State of Georgia—on to Sherman and his men, or refer to it delicately, as does Rhodes when he says: "Nor must it be overlooked that a good deal

of plundering was done by bands of Confederates which people were prone to charge against Sherman's men." ⁶

⁶ In his book, *The Story of Our American People*, (referred to in a note to Chapter V, p. 64) Horne says (Vol. 2, p. 257): "In this daring march, Sherman carried his ammunition, but depended wholly on the country for food. He deliberately stripped the land bare of everything that the Confederate forces could use. He kept his main army well under control; but a motley crowd soon gathered behind and followed him. The South called them 'Sherman's bummers,' and even to this day has not forgotten the cruel and reckless destruction they wrought."

In this paragraph Horne endeavors to make Sherman responsible for the "cruel and reckless destruction" wrought in Georgia. He has not one reference to the perpetrators of the greater part of the pillaging, the Confederates themselves. Yet, Horne asks that his history be taught to the youth of today, assuming that this rewarding of patriots with defamation is a display of broad patriotism which "shall inspire confidence in our laws and loyalty to our Government." If he mentions the military destruction wrought by Sherman, he should either keep silent about the other destruction wrought or attribute it to its true source. Impartiality in an historian, as well as truth, demands this of him.

CHAPTER XX

COLUMBIA, S. C.

As the Confederate sympathizers have fixed on Sherman as the main target in their vilification of the Union, so they have attributed to him the burning of Columbia, South Carolina, as the crowning infamy of his career. The Southern school histories teach this idea to the children of today. For example, in *A History of the United States*, by Riley Chandler Hamilton, in current use, we find this bald statement:¹ "Sherman left Savannah to continue his destructive raid, February 1, 1865. He captured and burned Columbia, the capital of South Carolina." Again, in *A History of the People of the United States*, Waddy Thompson says, speaking of Sherman's troops:² "The army marked its route by the destruction of property and laid Columbia, the capital of the State, in ashes."

We have already quoted Page (Chapter XVI) as saying: "Speaking of the burning of Columbia, which Sherman wrote his brother he had in his report 'distinctly charged to General Wade Hampton,' he adds, 'I confess I did so pointedly to shake the faith of his people in him.' A distinguished historian from his own State has declared of this destruction of Columbia, a defenceless city which had surrendered, that 'it was the most monstrous barbarity of this barbarous march'."

The "distinguished historian" to whom Page refers is Whitelaw Reid, and the quotation is from his book *Ohio in the War*, published in 1867. When Reid wrote his book, he could not know that the reports and records of the war would be published by the Government and thus become accessible to the public, so that the truth could be ascertained.

But Page had access to the truth, and instead of citing the

¹ P. 397.

² P. 356.

authoritative reports of both Union and Confederate officers, which prove, as we shall show, that Sherman was not responsible for the destruction of Columbia, he took the authority of a man who was not with Sherman's Army on its wonderful march, but who was a newspaper correspondent, one of a class for whom Sherman had no use. Reid seems to have voiced his resentment of Sherman's attitude by consistently misrepresenting his aims, his acts, and his accomplishments, in the brief sketch he gives of the famous leader.

He speaks of Sherman "moving out from the smoking ruins of Atlanta,"³ and in that single phrase misleads the reader into believing that Atlanta was left in complete ruin. However, we have already cited Sherman's authoritative statements that Atlanta was destroyed only as far as military values were concerned. But it is not to the interest of those who wish to prejudice the public mind against Sherman to mention this fact concerning "the smoking ruins of Atlanta."

With this fact in mind, we can now read with better understanding Reid's account of Columbia. He says:⁴

When Sherman rode into Columbia, piles of cotton which Wade Hampton had fired, lay smouldering through the streets. As the wind rose, locks of lint from the bales which the fire had already burned open, drifted about in every direction. Soldiers extinguished the fires, as they supposed, but at nightfall they broke out again — doubtless in one or two places from burning cotton. But, as if by concert, there suddenly came cries of alarm from a dozen different quarters. The city was on fire in as many places. General Sherman ordered out a force to attempt checking the conflagration, but the effort was vain. Before morning a large portion of the city was in ruins; thousands of helpless women and children were suddenly made homeless — in an hour — in the night — in the winter. It was the most monstrous barbarity of the barbarous march. There is no reason to think that General Sherman knew anything of the purpose to burn the city, which had been freely talked about among the soldiers during the afternoon. But there is reason to think that he knew well enough who did it, that he never rebuked it, and made no effort to punish it. Instead, he sought indeed to show that the enemy himself

³ *Ohio in the War*, Vol. I, p. 467.

⁴ *Ohio in the War*, Vol. I, p. 475.

had burned his own city, "not with malicious intent, but from folly and want of sense." Yet in the same paragraph he admits everything except the original starting of the first fire; "Officers and men not on duty, including the officers who had long been imprisoned there, may have assisted in spreading the fire after it had once begun, and may have indulged in unconcealed joy to see the ruin of the capital of South Carolina."

This brief statement contains so many contradictions and unsubstantiated assertions that it is worthless in itself, and we would not cite it but for the use Page makes of it. Here also we find Page in an interesting misrepresentation. If the reader will turn to Chapter XVI, where we have cited at length from Page, he will find the quotation from Reid, "It was the most monstrous barbarity of the barbarous march," followed by sixteen lines quoted as if they followed in the text of Reid. But they do not. They occur in an entirely different place in the Reid volume⁵ and concerning another matter, the march through the Carolinas, and even that, as we have already proved, is defamatory of Sherman and his men. But Page lifts it out of the text and juxtaposes it into the burning of Columbia, in order to make a bad case against Sherman—from an unauthoritative source.

Channing, in his volume, *The War for Southern Independence*, which received the Pulitzer History prize for 1926, says, concerning the burning of Columbia:⁶

It was with a revengeful spirit that the western army pursued its northward march, — little mercy was shown to whomsoever resisted in the slightest degree.

In the course of Sherman's northward progress, Columbia was occupied and a great deal of property, that had been taken there from Charleston for safe-keeping, was appropriated to public or private uses. Columbia was partly destroyed by fire, and the arsenals and factories at Fayetteville suffered a similar fate. The burning of Columbia appears to have been partly accidental and partly to have been the result of the drunkenness and feelings of resentment of Sherman's soldiers. He has told us that he did not order the burning of Columbia because there was no military

⁵ Vol. I, p. 478.

⁶ P. 577.

necessity for so doing; had there been, he would not have hesitated an instant to have ordered its destruction.

In this brief reference the distinguished historian is careful to give no inkling of what Sherman really did at Columbia, though he cites references in his footnotes, so that those who are fortunate enough to have access to the *Official Records* may learn the truth.

Rhodes, in his history, devotes many pages to the burning of Columbia. He says, concerning the situation in that city just before the Union troops entered:⁷

The most notorious occurrence during this march was the partial destruction by fire of Columbia, the capital of South Carolina. February 16, the army reached the neighborhood of the city which the Confederates evacuated the next day, seeing that an attempt to defend it would be futile. Two days previously (the 15th) Columbia had been placed under martial law, but this did not prevent some riotous conduct after night and a number of highway robberies; stores were also broken into and robbed. In disorder and confusion the inhabitants tried to prepare for flight; it was a frantic attempt to get themselves and their portable belongings away before the enemy should enter the city. "A party of Wheeler's cavalry," wrote a correspondent of the *Richmond Whig*, "accompanied by their officers, dashed into town [February 16] tied their horses and as systematically as if they had been bred to the business, proceeded to break into the stores along Main street, and rob them of their contents." Early in the morning of the 17th, the South Carolina railroad depot took fire through the reckless operations of a band of greedy plunderers, who, engaged in robbing "the stores of merchants and planters, trunks of treasure, wares and goods of fugitives," sent there awaiting shipment, fired, by the careless use of their lights, a train leading to a number of kegs of powder: the explosion which followed killed many of them and set fire to the building. Major Chambliss who was endeavoring to secure the means of transportation for the Confederate ordnance and ordnance stores wrote: "The straggling cavalry and rabble were stripping the warehouses and railroad depots. The city was in the wildest terror."

⁷ Rhodes, Vol. 5, p. 90.

This "terror," it must be remembered, was caused by the Confederates, as the Union troops had not yet arrived. We will quote Rhodes a little further concerning the situation before the Union troops entered the town:⁸

In the principal street was a pile of cotton bales which had been removed from the warehouses for the purpose of being taken to the open fields near the city where they might be burned with safety. It proved impossible to do this owing to lack of means of transportation; therefore Wade Hampton urged Beauregard, the general in command, to issue an order that this cotton should not be burned lest the fire might spread to the shops and houses which for the most part were built of wood. Such an order was given. [In a footnote Rhodes says, "While . . . no such order has been found, I am satisfied it was given, despite the charge of General Sherman that Hampton had ordered all the cotton in the streets to be fired."] Nevertheless before the Federal troops entered the city the rope and bagging of the cotton bales were cut and the cotton was afire. Major Chambliss states that at three o'clock on the morning of February 17, a number of hours before the entrance of the first Union soldiers, "the city was illuminated with burning cotton." Between ten and eleven o'clock the Charlotte depot was fired by the order of General Beauregard.

When on the morning of February 17 the Union troops arrived within about a mile of Columbia, they were met by a carriage displaying a white flag and containing the mayor and three aldermen who surrendered the city to Sherman unconditionally. Colonel George A. Stone, with a brigade of the Fifteenth Corps took possession of the town at about eleven o'clock and raised the United States flag on the State-house. Sherman and Howard riding into the city soon afterwards observed piles of cotton burning and Union soldiers working with citizens to extinguish the fire which was partially subdued. By day-light the next morning two-thirds of Columbia lay in ashes; the entire business portion and the best residences had been destroyed. Sherman maintained that the fire spread to the buildings from the smouldering cotton rekindled by the wind which blew a gale. Howard, with some modification, agrees with his chief; and the account of General Cox whose experience and training fitted him well to weigh the evidence, gives at least a partial confirmation to

⁸ P. 91.

Sherman's theory of the origin of the fire. But the preponderance of the evidence points to another cause.

The fact that Columbia had been pillaged by Confederate troops before Union troops entered the city is generally suppressed. Page does not mention it, nor does Channing, nor Whitelaw Reid. The further fact that the cotton was on fire when Union troops entered is important evidence, and still more important is the fact that Union troops were helping the citizens of the town to extinguish the fires when Generals Sherman and Howard entered. This fact shows the intent of the Union commanders from the beginning. Rhodes devotes a number of pages to discussing the preponderance of evidence which pointed to another cause.

The "other cause," as he develops it, was that the city was fired by liberated convicts, Union soldiers who had been released by their comrades from Confederate prisons, and drunken soldiers. Now, both General Cox and General Howard not only corroborate General Sherman, but corroborate Rhodes' carefully developed theory that drunken soldiers and escaped prisoners and released convicts may have wrought damage in Columbia. The scrappy excerpts which Rhodes cites from the various officers, like other evidence he presents, is misrepresentative.

We will cite General Sherman's official report and his account in his *Memoirs* first, which are generally ignored by historians, as they will show his true intent concerning Columbia, then follow them with the reports of other officers, and close with General Cox's narrative of the destruction of Columbia. These are authoritative.

In considering these reports, we call particular attention to the matter in italics: for, the *Confederate Veteran* of September, 1927,⁹ prints an article entitled, *When Columbia was Burned*, with the following introduction: "Some statements by Federal officers as compiled by John S. Stiles, of Brunswick, Ga., from the Official Records."

The italicized portions of our citations are those that appear in the *Confederate Veteran*, without any indication that

⁹ P. 340.

there are omissions and that changes have been made in the text to conceal the omissions. What purports to be a true account is a deliberate manipulation by which the efforts of General Sherman and his commanders to extinguish the conflagration in Columbia, efforts which resulted in saving much of the town, are minimized, distorted, or suppressed. "Loyalty to the truth of Confederate history" demands the facts, and we here present them.

In his comprehensive report to General Halleck, April 4, 1865, General Sherman says concerning Columbia: ¹⁰

I was in person at this bridge, and at 11 a. m. learned that the mayor of Columbia had come out in a carriage and made a formal surrender of the city to Colonel Stone, Twenty-fifth Iowa Infantry, commanding Third Brigade, First Division, Fifteenth Corps. About the same time a small party of the Seventeenth Corps had crossed the Congaree in a skiff, and entered Columbia from a point immediately west. In anticipation of the occupation of the city I had made written orders to General Howard touching the conduct of the troops. These were to destroy absolutely all arsenals and public property not needed for our own use, as well as all railroads, depots, and machinery useful in war to an enemy, but to spare all dwellings, colleges, schools, asylums, and harmless private property. *I was the first to cross the pontoon bridge, and in company with General Howard rode into the city. The day was clear, but a perfect tempest of wind was raging.* The brigade of Colonel Stone was already in the city, and was properly posted. Citizens and soldiers were on the streets, and general good order prevailed. *General Wade Hampton, who commanded the Confederate rear guard of cavalry, had, in anticipation of our capture of Columbia, ordered that all cotton, public and private, should be moved into the streets and fired, to prevent our making use of it. Bales were piled everywhere, the rope and bagging cut, and tufts of cotton were blown about by the wind, lodged in the trees and against houses, so as to resemble a snowstorm.* Some of these piles of cotton were burning, especially one in the very heart of the city, near the court-house, but the fire was partially subdued by the labor of our soldiers. During the day the Fifteenth Corps passed through Columbia and out on the Camden road. The Seventeenth did not enter the

¹⁰ O. R., Vol. 98, pp. 21-22.

town at all; and, as I have stated, the left wing and cavalry did not come within two miles of the town.

Before one single public building had been fired by order, the smouldering fires, set by Hampton's order, were rekindled by the wind, and communicated to the buildings around. About dark they began to spread, and got beyond the control of the brigade on duty within the city. The whole of Woods' division was brought in, but it was found impossible to check the flames which, by midnight, had become unmanageable, and raged until about 4 a. m., when the wind subsiding they were got under control. I was up nearly all night, and saw Generals Howard, Logan, Woods, and others, laboring to save houses and protect families thus suddenly deprived of shelter, and even of bedding and wearing apparel. I disclaim on the part of my army any agency in this fire, but, on the contrary, claim that we saved what of Columbia remains unconsumed. And without hesitation I charge General Wade Hampton with having burned his own city of Columbia, not with a malicious intent, or as the manifestation of a silly "Roman stoicism," but from folly and want of sense, in filling it with lint, cotton, and tinder. Our officers and men on duty worked well to extinguish the flames; but others not on duty, including the officers who had long been imprisoned there, rescued by us, may have indulged in unconcealed joy to see the ruin of the capital of South Carolina.

This is a concise account of the burning of Columbia. It shows that Sherman and his officers, from the moment they entered the city, did all that could be done to protect private property and to extinguish the fire; and those who accuse Sherman of burning Columbia are either too ignorant to deserve the name of historian or too false to be credited with honor.

We might content ourselves with Sherman's account quoted above, and written shortly after the burning of Columbia; but, since it is the fashion either to ignore Sherman's statements or to pick out phrases which, cited alone, are misrepresentative, we will here quote what he has to say concerning the burning of Columbia, in his *Memoirs*:¹¹

Ascending the hill, we soon emerged into a broad road leading

¹¹ Vol. II, p. 280.

into Columbia, between old fields of corn and cotton, and entering the city, we found seemingly all its population, white and black, in the streets. A high and boisterous wind was prevailing from the north, and flakes of cotton were flying about in the air and lodging in the limbs of the trees, reminding us of a Northern snow-storm. Near the market-square we found Stone's brigade halted, with arms stacked, and a large detail of his men, along with some citizens, engaged with an old fire-engine, trying to put out the fire in a long pile of burning cotton-bales, which I was told had been fired by the rebel cavalry on withdrawing from the city that morning. I know that, to avoid this row of burning cotton-bales, I had to ride my horse on the sidewalk.

This shows the condition when he entered the city: Union troops were engaged in putting out the fires set by the Confederates! Concerning the conflagration in the evening, he says:¹²

Having walked over much of the suburbs of Columbia in the afternoon, and being tired, I lay down on a bed in Blanton Duncan's house to rest. Soon after dark I became conscious that a bright light was shining on the walls; and, calling some one of my staff (Major Nichols, I think) to inquire the cause, he said there seemed to be a house on fire down about the market-house. The same high wind still prevailed, and fearing the consequences, I bade him go in person to see if the provost-guard were doing its duty. He soon returned, and reported that the block of buildings directly opposite the burning cotton of that morning was on fire, and that it was spreading; but he had found General Woods on the ground, with plenty of men trying to put the fire out, or, at least, to prevent its extension. The fire continued to increase, and the whole heavens became lurid. I despatched messenger after messenger to Generals Howard, Logan, and Woods, and received from them repeated assurances that all was being done that could be done, but that the high wind was spreading the flames beyond all control. These general officers were on the ground all night, and Hazen's division had been brought into the city to assist Woods's division, already there. About eleven o'clock at night I went down-town myself, Colonel Dayton with me; we walked to Mr. Simons's house, from which I could see the flames rising high in the air, and could hear the roaring of the

¹² *Ibid.*, p. 286.

fire. I advised the ladies to move to my headquarters, had our own headquarter-wagons hitched up, and their effects carried there, as a place of greater safety. The whole air was full of sparks and of flying masses of cotton, shingles, etc., some of which were carried four or five blocks, and started new fires. The men seemed generally under good control, and certainly labored hard to girdle the fire, to prevent its spreading; but, so long as the high wind prevailed, it was simply beyond human possibility. Fortunately, about 3 or 4 A. M., the wind moderated, and gradually the fire was got under control; but it had burned out the very heart of the city, embracing several churches, the old State-House, and the school or asylum of that very Sister of Charity who had appealed for my personal protection. Nickerson's Hotel, in which several of my staff were quartered, was burned down, but the houses occupied by myself, Generals Howard and Logan, were not burned at all. Many of the people thought that this fire was deliberately planned and executed. This is not true. It was accidental, and in my judgment began with the cotton which General Hampton's men had set fire to on leaving the city (whether by his orders or not is not material), which fire was partially subdued early in the day by our men; but, when night came, the high wind fanned it again into full blaze, carried it against the frame-houses, which caught like tinder, and soon spread beyond our control.

This whole subject has since been thoroughly and judicially investigated, in some cotton cases, by the mixed commission on American and British claims, under the Treaty of Washington, which commission failed to award a verdict in favor of the English claimants, and thereby settled the fact that the destruction of property in Columbia, during that night, did not result from the acts of the General Government of the United States—that is to say, from my army. In my official report of this conflagration, I distinctly charged it to General Wade Hampton, and confess I did so pointedly, to shake the faith of his people in him, for he was in my opinion a braggart, and professed to be the special champion of South Carolina.

The morning sun of February 18th rose bright and clear over a ruined city. About half of it was in ashes and in smouldering heaps. Many of the people were houseless, and gathered in groups in the suburbs, or in the open parks and spaces, around their scanty piles of furniture. General Howard, in concert with the mayor, did all that was possible to provide other houses



From an engraving by J. C. Buttre

V. O. Howard

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for them; and by my authority he turned over to the Sisters of Charity the Methodist College, and to the mayor five hundred beef-cattle, to help feed the people; I also gave the mayor (Dr. Goodwin) one hundred muskets, with which to arm a guard to maintain order after we should leave the neighborhood.

Rhodes has much to say about the drunkenness of the soldiers, but has almost nothing to say about the vigorous efforts of the Union troops to put out the fire, and is silent on the fact that men from Hazen's command were brought in as reinforcement to help stop the conflagration. He says:¹³

When the fire was well under way Sherman came upon the scene but gave no orders. Nor was it necessary, for Generals Howard, Logan, Woods and others were laboring earnestly to prevent the spread of the conflagration. Through their efforts together with the change and subsidence of wind the fire was stayed.

His phrase that General Sherman "gave no orders" is singular, and seems to intend to indicate indifference on Sherman's part; but we have Sherman's word for it that before he "came upon the scene" he had dispatched messenger after messenger to his generals.

But the most important part of what we have quoted from Sherman is that an impartial commission found that Union troops did not burn Columbia.

Generals Logan, C. R. Woods, W. B. Woods, Poe, Howard, and Colonels Stone and M. C. Garber, all made reports of the burning of Columbia, which are published in the *Official Records*. We will cite them all, as they show how blameless General Sherman was for what happened: the public is entitled to the evidence; and the gallant leader deserves this complete vindication as a reward for his patriotism.

As General O. O. Howard's report is the most complete, we will begin with his of date April 1, 1865:¹⁴

As soon as the bridge was completed I crossed with General Sherman and rode to the town with him, a distance of about

¹³ Rhodes, Vol. 5, p. 95.

¹⁴ O. R., Vol. 98, p. 198.

three miles. The ground was dry, the wind blowing hard, so that the dust almost blinded us.

As we entered the city the negroes and many white people collected at the corners of the streets and greeted the general with loud cheering. In the main street was a large quantity of cotton partially consumed by fire. Some men were at work trying to extinguish the fire with a very poor engine. We remarked that the loose cotton was blown about in every direction, and the shade trees were so completely covered with bits of cotton as to remind me of a grove in Maine after a snow storm. The guards were carefully established in different streets, and seemed to be attending to their duty very faithfully. I noticed a few men under the influence of liquor, and immediately directed that they should be placed under guard. I have been thus particular in narrating these preliminary incidents, because there followed one of the most terrific scenes that I have ever witnessed, and we are charged by the rebels with its inception. Thinking everything was very orderly, and the city police in the best of hands, I selected a house and hoped to get a little rest. But it was hardly dark before a fire broke out in the vicinity of Main street, and spread rapidly. I learned, moreover, that quantities of liquor had been given to the soldiers by certain people who hoped in this manner to conciliate them and get their protection, and it is certainly true that many of our men and some of our officers were too much under the influence of drink to allow them to properly discharge their duty. Strenuous efforts, however, were made to arrest the flames. General Woods sent in a fresh brigade, and afterwards General Hazen still another. During the night I met Generals Logan, Woods, and other general officers, and they were taking every possible measure to stop the fire and prevent disorder. Nevertheless some escaped prisoners, convicts from the penitentiary just broken open, army followers, and drunken soldiers ran through house after house, and were doubtless guilty of all manner of villainies, and it is these men I presume set new fires farther and farther to the windward in the northern part of the city. Old men, women, and children, with everything they could get out, were herded together in the streets. At some places we found officers and kind-hearted soldiers protecting families from the insults and roughness of the careless.

Meanwhile the flames made fearful ravages and magnificent residences and churches were consumed in a very few minutes. After about two-thirds of the city, all the business part of the

town, including the old State House, had been destroyed, the wind shifted to the east and the fire was stayed. The next morning showed very little of Columbia except a blackened surface peopled with numerous chimneys and an occasional house that had been spared as if by a miracle. *I believe that the rebels, who blew up the depot, scattered the cotton over the city, and set fire to it, and took no reasonable precaution to prevent the destruction of Columbia, are responsible for the suffering of the people.* Neither the general-in-chief nor any of his lieutenants have ever sanctioned any conduct so evidently against the dictates of humanity.

General O. M. Poe, in his report, October 8, 1865, says: ¹⁵

"On the 17th a pontoon bridge was built just above the ruins of the former bridge over Broad River, three miles above Columbia, and the Right Wing crossed to the north bank and occupied the city, the greater part of which was burned during the night. Many reasons are given for this flagrant violation of General Sherman's orders, but as far as I could judge, it was principally due to the fact that the citizens gave liquor to the troops until they were crazily drunk and beyond the control of their officers. The burning of cotton, fired by retreating rebels, and the presence of a large number of escaped prisoners, excited the intoxicated soldiers to the first acts of violence, after which they could not be restrained. I don't know that I am called upon to give an opinion respecting this matter, but I volunteer the above. One thing is certain, the burning houses, lighting up the faces of shrieking women, terrified children, and frantic, raving drunken men, formed a scene which no man of the slightest sensibility wants to witness a second time."

General John A. Logan, in his report of March 31, 1865, concerning Columbia, says: ¹⁶

The pontoon was not completed as rapidly as was anticipated, and Col. Stone's brigade did not cross before 7 a. m., when he moved out in the direction of Columbia, meeting with little resistance. On his approach he was met by the mayor and other prominent citizens, who formally surrendered the city to his

¹⁵ *Ibid.*, p. 170.

¹⁶ *Ibid.*, p. 227.

command. Col. Stone moved his brigade into Columbia, taking possession of the public stores and buildings. A provost guard was at once organized and great exertions to preserve order and protect the city were made by all his officers; but the citizens had received our soldiers with buckets full of liquor, and the negroes, overjoyed at our entrance, piloted them to buildings where wine and whiskey were stored, and for a while all control was lost over the disorganized mass. On completion of the bridge the rest of the Corps crossed and moved through the city to position on the Columbia Branch of the South Carolina Railroad. Toward dark Col. Stone's brigade was relieved from duty and fresh troops moved into the city to clear it of the rioters, and, if possible, to preserve order during the night, but the citizens had so crazed our men with liquor that it was almost impossible to control them. *The scenes in Columbia that night were terrible. Some fiend first applied the torch and the wild flames leaped from house to house and street to street until the lower and business part of the city was wrapped in flame. Frightened citizens rushed in every direction, and the reeling incendiaries dashed, torch in hand, from street to street, spreading dismay wherever they went.* General Woods used every exertion to quell the riot, and his troops aided him in fighting the conflagration, and to their exertions is due the preservation of such portion of the city as escaped the fire. Toward morning General Oliver's brigade, of Hazen's division, was ordered into the city, and this force, in addition to that from the First Division, restored order. The next morning the provost system was more thoroughly organized, and, under command of Brevet Brigadier-General Woods, the city was perfectly quiet.

Brevet-Major-General Charles R. Woods, in his report, written February 21, 1865, says:¹⁷

It may be proper to state that the troops first entering the city [Columbia] were freely supplied by the citizens with great quantities of intoxicating liquors, so that the confusion inevitable on the entry into a captured city was very materially increased, and at night, in obedience to the orders of the major-general commanding, the brigade on provost duty in the city was relieved by the First Brigade of this division, Bvt. Brig. Gen. William B. Woods commanding. *During the evening a fire broke out in the*

¹⁷ Ibid., p. 243.

western part of the city, which rapidly spread over that portion of the town, owing to the high winds that swept the flames rapidly from one street to another. At the same time the town was fired in several different places by the villains that had that day been improperly freed from their confinement in the town prison. The town itself was full of drunken negroes and the vilest vagabond soldiers, the veriest scum of the entire army being collected in the streets. Every measure practicable was adopted to prevent the spreading of the fire; but owing to the gale that was sweeping over the place, the absence of any proper water-power, and the fact that the city was filled with both citizens and soldiers who were in noways disposed to have the scene closed, it was an almost impossibility to arrest the flames. About one-third of the city was destroyed, including the principal part of the business portion of the place.

Brevet-Brigadier-General William B. Woods, in his report, March 26, 1865, says: ¹⁸

About 9 o'clock at night I received an order from Brevet Major-General Woods, commanding First Division, Fifteenth Army Corps, to march into the city and relieve the Third Brigade of the same division, which was on provost guard duty there. *On entering the city I found a large part of the place in flames. I am satisfied by statements made to me by respectable citizens of the town that the fire was first set by the negro inhabitants.* A gale was blowing, and the city being chiefly built of wood, the fire was exceedingly hard to control, but by the strenuous exertions of the officers and men of the brigade at least two-fifths of the city was saved from destruction.

Colonel George A. Stone, whose troops were the first to enter Columbia, says in his report, February 19, 1865: ¹⁹

I was absent from the brigade about an hour in placing the flag on the state-house, and when I rejoined my command found a great number of the men drunk. It was discovered that this was caused by hundreds of negroes who swarmed the streets on the approach of the troops and gave them all kinds of liquors from buckets, bottles, demijohns, &c. The men had slept none

¹⁸ *Ibid.*, p. 252.

¹⁹ *Ibid.*, p. 265.

the night before, and but little the night before that, and many of them had no supper the night before, and none of them breakfast that morning, hence the speedy effect of the liquor. I forthwith ordered all the liquor destroyed, and saw fifteen barrels destroyed within five minutes after the order had been given.

Brevet Major-General Woods now sent me word to guard the private property of the citizens and take possession of all the public buildings. I did so immediately upon receipt of the order, distributing my five regiments throughout the city and appointing Lieutenant-Colonel Jenkins, Thirty-first Iowa, provost marshal. A number of buildings were fired during the early part of the evening, but the fire was promptly put out before it had gained much headway. A great many drunken men were now showing themselves in the streets from, I should think, every regiment of our corps, the Seventeenth Corps, and some even from General Kilpatrick's Cavalry. My command was so scattered throughout the city I found it necessary to have a stronger guard, and therefore applied through my acting assistant adjutant-general to Brevet Major-General Woods twice, once in writing, for one or two more regiments for patrolling the city, but received no reinforcements. *About eight o'clock the city was fired in a number of places by some of our escaped prisoners and citizens (I am satisfied I can prove this), and as some of the fire originated in basements stored full of cotton it was impossible to extinguish it.* The fire engines were ordered out, but the flames could not be stopped; the buildings were old, nearly all wooden ones, and the wind blowing almost a gale. At 8 p.m. I received orders that I was relieved by Brevet Brigadier-General Woods and I sent the brigade to camp about one mile out of town, but remained in the city myself, working all night to assist in extinguishing the fire.

Colonel M. C. Garber, Chief Quartermaster, Military Division of the Mississippi, etc., in his report to the Quartermaster General, July 10, 1865, says: ²⁰

While laying the second pontoon, word came that Columbia had surrendered to our skirmishers. I had the honor of accompanying General Sherman in his triumphal entry into that city. I was ordered by the general to hunt up valuable machinery, es-

²⁰ O. R., Vol. 111, p. 53.

pecially lathes, and take charge of captured property. I entered upon this duty and found large and valuable stores.

The great fire, however, destroyed most of them to the great loss and detriment of the Government. At the depot a large quantity of corn was found and secured. Mills were occupied and flour and corn meal ground for the troops and for indigent citizens. When we left the city three mills were spared from the general destruction and turned over to the citizens with a quantity of corn to save them from starvation. The next three days were spent in destroying public buildings, including the gas-works, depot, arsenal, &c. In the arsenal immense quantities of ammunition were found; the latter was carried down to the river and thrown in. A pile of it unfortunately exploded, causing the death of some twenty men. Many escaped prisoners, both officers and privates, joined us there with the most extravagant demonstrations of joy. In regard to the fire in Columbia I will say that although its origin cannot be clearly ascertained, and our general and officers used every exertion to subdue it, I cannot but look upon it as a just and righteous retribution upon the citizens for the unexampled malignity they have ever displayed toward the Government. Here the Ordinance of Secession was hatched and long before the war a northern lady teacher was tarred and feathered, a number of Germans served the same way, while the escaped prisoners all tell the same tale of villainous treatment.

The data in the foregoing reports is finely summarized by General Cox in his *March to the Sea*, and is referred to, without quoting, by Rhodes. We will cite it for the reader's benefit: ²¹

On the approach of the National troops, the Confederate Cavalry burned the bridges, sprinkling them first with resin and tar, so as to make a quick fire: indeed, it was so quick that some of the rear guard could not pass, and had to gallop off by a long circuit to escape capture. In Columbia they burned the two rail-way stations and depôt buildings, one at the south and the other at the north of the place. Long, narrow piles of cotton bales were made along the middle of the streets, and these were cut open and fired. Some of Wheeler's cavalry, acting upon the

²¹ Cox, *March to the Sea*, p. 172 et seq.

rule they had often avowed, that it was not worth while to leave what they wanted for an enemy to take, broke open the shops and pillaged them. [Note says "Testimony before Mixed Commission on American and British Claims."]

Before entering the city, Sherman issued orders that private dwellings and property, colleges, libraries, charitable institutions, and the like, should be respected, but that the arsenals, foundries, machine-shops, and public workshops should be destroyed. The order was in substance the same as he had issued at Savannah, and was appropriate both because Columbia was the first city of any considerable size the army occupied after leaving the coast, and because the long continuance of a march in which the troops were living on the country had gradually increased the number of stragglers, and relaxed the bands of discipline in portions of the command. General C. R. Wood's Division of Logan's Corps entered the city, Stone's brigade being the advance guard. The other troops passed on and encamped beyond. A strong wind from the northwest was blowing, scattering the loose cotton about, and Colonel Stone directed his men to assist the citizens, who, with a wretched hand-engine and buckets, were trying to quench the fire in the cotton, which the wind was making dangerous. Sherman himself entered the town soon after the advanced guard, with Howard and Logan. The mayor presented himself, and was informed of the orders for the protection of private property.

Some foolish persons, thinking to please the soldiers, brought out whiskey by pailfuls, and before the superior officers were aware of it, a good many men of Stone's brigade were intoxicated. Woods immediately ordered the brigade relieved, and that of W. B. Woods was substituted as provost guard. All the whiskey that could be found was emptied on the ground, and the intoxicated men were put in arrest. The wind continued to rise, and before night was blowing a gale. The cotton bales, tenacious of fire, were smouldering. It would seem that a flake from one of these set fire to a shed or building near by, and the flames soon spread. Sherman himself gave prompt orders to do all that could be done to conquer the fire, and the whole division was put at work to quench or to girdle it. The houses of the city were built of pine wood, and, from the place of starting, the southeastern part of the town was soon a roaring, leaping mass of flame, utterly beyond control. But there were

not wanting intoxicated men among the soldiers, and others equally excited by the tales of horror which the escaped military prisoners had to tell of their cruel sufferings in a prison pen near the city, where they had been exposed to the weather and forced to burrow in the ground for their only shelter. These seized upon the idea that the destruction of the capital of South Carolina was a fit retribution upon the State for its leadership in the great rebellion, and carried the fire to windward of its starting place to make the destruction more complete. Drunken soldiers, camp followers, and escaped convicts from the penitentiary, made a dangerous mob, and the fire which began by accident was becoming the occasion of mischiefs of other kinds. Noticing this, Howard ordered a brigade from Hazen's division to be deployed as skirmishers, to sweep through the town, arresting all disorderly persons, citizens and soldiers, white and black, and to hold them under guard. After midnight the gale subsided and the progress of the fire was stopped, but the greater part of the city was in ashes.

Sherman was sincerely grieved at the misfortune of Columbia, and did what he could to lighten the trouble of the citizens. He gave them a large herd of cattle and other provisions to supply their immediate wants, and directed the issue of these to be made by the city authorities to the destitute. No one was more unbending than he in the destruction of whatever could be of military assistance to the enemy; but no one drew more clearly the line between the destruction which was useful to a cause and that which would merely make private suffering and irritation. The Confederate authorities made haste to proclaim the burning of Columbia as a deliberately planned and ordered piece of incendiarism; but no event was ever more fully investigated, and no conclusion can well be more solidly established by testimony than that which is given in the foregoing narrative of the occurrence.

After considering the *Official Reports*, which we have cited at length, the reader will know that General Cox's summary of the partial destruction of Columbia is admirable and correct: the fire was started by the Confederates, who sought to destroy the cotton; and the citizens of Columbia, black and white, by plying some of the soldiers with liquor, raised against themselves the "invisible spirit of wine," and, thus sowing the wind, they reaped the whirlwind.

The evidence is complete to show that General Sherman and his officers did all that could be done to overcome the havoc which was caused by the acts of the Confederates themselves. The record is accessible to all historians. How deliberate and damnable, then, the misrepresentation which says that Sherman burned Columbia!

CHAPTER XXI

CONFEDERATE DESTRUCTION OF PROPERTY IN ADVANCE OF SHERMAN IMPORTANCE OF SHERMAN'S MARCH

In justice to the Confederate soldiers, as well as to prove further the innocence of the Union soldiers, we here present evidence that much destruction in Georgia and the Carolinas was caused by orders of the Confederate military authorities.

As already presented, we know that the destruction wrought by Sherman was of a military nature. His endeavor was to destroy property and supplies that would support the Confederate army in its rebellion against the authority of the United States. Arsenal, munition plants, railways, and food-stuffs were destroyed on his march. We who have lived through the World War understand that this was good generalship, and just what the Confederates did in the few opportunities they had in enemy territory, only, as far as possible, they captured Union supplies for their own use and did not destroy them, if they could be transported. Some weeks before Sherman started on his march, General Lee reported: ¹

HEADQUARTERS, CHAFFIN'S BLUFF, OCTOBER 5, 1864.

Lieutenant-Colonel Witcher has returned from his expedition to West Virginia. He visited Bulltown, Jacksonville, Westover, Buckhannon, Walkersville, and Weston. Reports that he destroyed a million dollars worth of stores, captured 300 prisoners, with their horses and equipments, brought out 500 horses and 200 beef cattle and sustained no loss."

On the same date, concerning Witcher's activities, Lee wrote to Major-General J. C. Breckinridge: ² "I am much pleased with Witcher's success."

¹ O. R., Vol. 90, p. 639.

² O. R., Vol. 91, p. 885.

We have also shown that there was much wanton destruction by Confederates in Georgia and the Carolinas, all of which is now attributed to Sherman, but part of the destruction wrought by Confederates was considered a military necessity, as shown by the orders issued by the Confederate authorities, some of which, all from Volume 92 of the *Official Records*, are as follows:

P.859. Circular.

HEADQUARTERS WHEELER'S CORPS,
NOVEMBER 15, 1864.

- I. All orders heretofore issued regarding destroying supplies and removing stock before the enemy are modified as follows:
 - II. All mills near the enemy's line of march will be rendered useless to the enemy by breaking the machinery, and, when practicable, by drawing off the water.
 - III. No mill building, corncrib, or any other private property will be burned or destroyed by this command.
 - IV. All horses, mules, and other stock which citizens have left on the enemy's line of march will be driven off and proper receipts left for the same. When no owner can be found, accurate accounts will be kept, so that the stock can be reclaimed by the owner.
 - V. Commanders of troops in falling back before the enemy will send reliable officers and men at least one day in advance to instruct citizens in which direction to drive their stock.
- By order of Major-General Wheeler: M. G. HUDSON,

*First Lieutenant, Aide De Camp, and Actg. Asst.
Adjt. Gen.*

P.860.

NOVEMBER 16, 1864.

MAJOR-GENERAL WHEELER,
JONESBOROUGH, GA.

Telegraph me daily, whether you have news of importance or not. If Sherman advances to the south or east destroy all things in his front that might be useful to him, and keep a portion of your force constantly destroying his trains.

J. B. HOOD, *General.*

P.867

RICHMOND, NOVEMBER 18, 1864.

TO THE PEOPLE OF GEORGIA:

You have now the best opportunity ever yet presented to destroy the enemy. Put everything at the disposal of our generals; remove all provisions from the path of the invader, and put all obstructions in his path. Every citizen with his gun, and every negro with his spade and axe, can do the work of a soldier.. You can destroy the enemy by retarding his march. Georgians, be firm! Act promptly, and fear not!

B. H. HILL, SENATOR.

I most cordially approve the above.

JAMES A. SEDDON,
Secretary of War.

P.897.

OCONEE, NOVEMBER 25, 1864.

GENERAL WHEELER:

General Bragg directs me to say to you to stick close to the enemy; to harass him in front and flank; and above all to destroy subsistence and forage in the route over which the enemy advances; also, to keep up and open communication with the forces at this point.

H. C. WAYNE,
Major-General.

Pp.971-2.

In a "Memorandum of orders to be issued by Lieutenant-General Hardee immediately after the evacuation of Savannah, and dated, Headquarters Military Division of the West, Pocotaligo, DECEMBER 20, 1864.

XI. As the cavalry retires before the enemy it will drive off all cattle, sheep, and hogs not necessary for its consumption, and impress and send to Charleston, to be turned over to the chief engineer, all negroes capable of bearing arms. It will also destroy all mills, boats, buildings (that may be useful to the enemy for military purposes), and all rice, corn, and other provisions not necessary for its own subsistence beyond such as is absolutely necessary for the consumption of the owners and their families and slaves.

block up the roads in his route. Assail the invader in front, flank, and rear, by night and by day. Let him have no rest.

JULIAN HARTRIDGE,
J. H. ECHOLS,
JOHN T. SHEWMAKE,

MARK H. BLANDFORD,
GEO. N. LESTER,
JAS. M. SMITH.

Members of Congress.

P.869.

PETERSBURG, NOVEMBER 19, 1864.

HIS EXCELLENCY JEFFERSON DAVIS,
RICHMOND, VA.:

I have not received General Cooper's dispatch. I know of no troops within reach of Sherman except those in Georgia, nor do I know of a (cipher unintelligible). All roads, bridges, provisions, &c., within Sherman's reach should be destroyed. The population must turn out. Wheeler could do much. It would be extremely hazardous and (cipher unintelligible). Savannah will probably be Sherman's object. Troops that can be spared from Charleston, Savannah, &c., should take the field under Hardee.

R. E. Lee.

P.874.

WEST POINT, MISS., NOVEMBER 20, 1864.

GENERAL WHEELER:

General Hardee will for the present give orders for the defense of Georgia east of the Chattahoochee. My views are that positions should be defended only so long as not to risk safety of troops and materials required for active operations in the field. Meanwhile remove to safe locality all Government property on line of enemy's march, and consume or destroy all supplies within his reach.

G. T. BEAUREGARD,
General.

All this destruction wrought under Confederate orders is also attributed to Sherman. It was just as hard on the citizens as if it had been done by Union troops, but the source of their deprivations should be attributed to the proper persons, the Confederate military authorities.

Since Sherman is now saddled with all the destruction wrought by the rebels, both military and wanton, the value of his march is now belittled and discredited as useless: but, that the Confederates did not so reckon it, is shown by a few references that follow, chronologically, all to be found in Volume 99 of the *Official Records*, except the fourth, which is in Volume 96:

P.1018.

DAVIS TO GOVERNOR A. G. MAGRATH, S. C., JAN. 17, 1865.

I am fully alive to the importance of successful resistance to Sherman's advance, and have called on the governor of Georgia to give all the aid he can furnish.

P.1090. DAVIS TO BEAUREGARD, FEBRUARY 4, 1865.

You can, therefore, judge of his (Lee's) power to aid you to the extent you propose without abandoning his present field of operations. I will, however, communicate your dispatches to him, and need not assure you of his readiness to do whatever circumstances will permit to attain your object—the defeat of Sherman.

P.1098. DISPATCH, FEBRUARY 4, 1865.

GENERAL BRAXTON BRAGG:

General Beauregard is concentrating at Columbia all his force to oppose Sherman, whom it is necessary to defeat. Can you send to him any troops from North Carolina?

R. E. LEE.

P.1247.

LEE TO BRECKINRIDGE, FEB. 22, 1865.

I fully concur as to the necessity of defeating Sherman.

P.1257.

LEE TO JOHNSTON, FEBRUARY 23, 1865.

I need not say that the first thing to be done is to concentrate all our forces and bring out every available man. If this can be accomplished in time to strike General Sherman before he reaches the coast or unites with Schofield, I hope for favorable results. His progress can be embarrassed and retarded by re-



MAJOR-GENERAL W. T. SHERMAN

From a war-time photograph of the collection of S. F. Stewart, Esq., an 85-year-old veteran. "Just as General Sherman looked," says Mr. Stewart, "during the Atlanta campaign and while on the march to the sea." He is shown wearing his uniform of a major-general.

Facing page 230

moving or destroying all kinds of supplies on his route, and I hope you will spare no effort to accomplish this It is needless for me to call your attention to the vital importance of checking General Sherman and preserving our railroad communications as far as practicable.

P.1395.

LEE TO JOHNSTON, MARCH 15, 1865.

That you may understand my situation I will state that the supplies in Virginia are exhausted I think you can now understand the condition of affairs and correctly estimate the importance of resisting the farther advance of Sherman. But should that not be possible, you will also see that I cannot remain here, but must start out and seek a favorable opportunity for battle. I shall maintain my position as long as it appears advisable, both from the moral and material advantages of holding Richmond and Virginia.

General Sherman himself gave his reasons for the march before he undertook it, as follows:³

HDQRS. MILITARY DIVISION OF THE MISSISSIPPI,
IN THE FIELD, KINGSTON, GA., NOVEMBER 6, 1864.

LIEUT. GEN. U. S. GRANT,
COMMANDER-IN-CHIEF, CITY POINT, VA.:

DEAR GENERAL: I have heretofore telegraphed and written you pretty fully, but I still have some thoughts in my busy brain that should be confided to you as a key to future developments. The taking of Atlanta broke upon Jeff. Davis so suddenly as to disturb the equilibrium of his usually well-balanced temper, so that at Augusta, Macon, Montgomery, and Columbia, S. C., he let out some of his thoughts which otherwise he would have kept to himself. As he is not only the President of the Southern Confederacy but also its Commander-in-Chief, we are bound to attach more importance to his words than we would to those of a mere civil chief magistrate. The whole burden of his song consisted in the statement that Sherman's communications must be broken and his army destroyed. Now, it is a well-settled principle that if we can prevent his succeeding in his threat we defeat him and derive all the moral advantages of a victory.

³ O. R., Vol. 79, pp. 658 *et seq.*

[About 1 page omitted.]

I reckon that by the 10th instant this end will be reached, and by that date I also will have the troops all paid, the Presidential election over and out of our way, and I hope the early storms of November, now prevailing, will also give us the chance of a long period of fine healthy weather for campaigning. Then the question presents itself, What shall be done? On the supposition always that Thomas can hold the line of the Tennessee, and very shortly be able to assume the offensive as against Beauregard, I propose to act in such a manner against the material resources of the South as utterly to negative Davis' boasted threat and promises of protection. If we can march a well-appointed army right through his territory, it is a demonstration to the world, foreign and domestic, that we have a power which Davis cannot resist. This may not be war, but rather statesmanship, nevertheless it is overwhelming to my mind that there are thousands of people abroad and in the South who will reason thus: If the North can march an army right through the South, it is proof positive that the North can prevail in this contest, leaving only open the question of its willingness to use that power.

Now, Mr. Lincoln's election, which is assured, coupled with the conclusion thus reached, makes a complete, logical whole. Even without a battle, the result operating upon the minds of sensible men would produce fruits more than compensating for the expense, trouble, and risk. Admitting this reasoning to be good, that such a movement per se be right, still there may be reasons why one route would be better than another. There are three from Atlanta, southeast, south, and southwest, all open, with no serious enemy to oppose at present. The first would carry me across the only east and west railroad remaining in the Confederacy, which would be destroyed and thereby sever the communications between the armies of Lee and Beauregard. Incidentally, I might destroy the enemy's depots at Macon and Augusta and reach the seashore at Charleston or Savannah, from either of which points I could re-enforce our armies in Virginia.

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As he planned, so he executed: he "acted against the material resources of the South in such a manner" as to prove conclusively to the South, to the North, and to the world that all the boasted power of the slaveholders' Confederacy could not stay him; he destroyed the communications be-

tween Lee and Beauregard and cut off the former's food supply; he reached the seashore at Savannah; and, unstayed, marched through the Carolinas. His victory was more than military. The morale of the Confederacy was destroyed by his brilliant feat. No wonder that it is the proudest boast of many of his men that not only had "they fought with Thomas" at Chickamauga, but they had "marched with Sherman from the mountains to the sea!"

CHAPTER XXII

CHAMBERSBURG, PENNSYLVANIA

While the Confederate sympathizers and apologists are eager to blame Sherman for the burning of Columbia, South Carolina, on February 17, 1865, they are either silent or refer but briefly to certain acts of the Confederates in Pennsylvania on July 30, 1864. In fact, they seem desirous, by clamoring loudly and falsely about Columbia, to distract attention from these Confederate deeds. We refer to the burning of Chambersburg to which Rhodes, although giving many pages to the destruction of Columbia, alludes in the following brief language: ¹

Toward the end of July Early turned upon his pursuers, drove them across the Potomac, and sent McCausland, with his cavalry, on a raid into Pennsylvania. McCausland occupied Chambersburg (July 30), and "in retaliation of the depredations committed by Major-General Hunter . . . during his recent raid," demanded from the citizens of the town "\$100,000 in gold, or, in lieu thereof, \$500,000 in greenbacks or national currency." Compliance therewith being impossible, the Confederate general carried out his threat, and laid the best part of the town in ashes."

This is all Rhodes says about the burning of that fair town. Channing does not mention it, though giving several pages to Columbia, and Page is silent, too.

From Rhodes' statement of the deed, the reader may conclude that Early was entirely justified, as a matter of retaliation, in destroying Chambersburg, in spite of General Lee's General Order No. 73, wherein he says: "It must be remembered we make war only on armed men, and that we cannot take vengeance for the wrong our people have suffered with-

¹ Rhodes, Vol. 4, p. 504.

out lowering ourselves in the eyes of all whose abhorrence has been excited by the atrocities of our enemy, and offending against Him to whom vengeance belongeth, without whose favor and support our efforts must all prove in vain."

It is easy to see that writers like Rhodes, who recognize in Lee "one of the finest products of American life,"² cannot dwell on the acts of Lee's lieutenant, acting under his authority, in the burning of Chambersburg, without betraying the fact that General Order No. 73 was purely for political effect, for the burning of Chambersburg was, as we shall show, purely retaliatory. No other reason is given by the Confederates. Therefore, in order to maintain the present-day attitude that the Confederates were a perfect enemy and never did anything by way of retaliation, because that would be contrary to General Lee's order No. 73, most historians are silent concerning Chambersburg.

We will, therefore, present the facts, not only concerning Chambersburg, but also concerning other acts of Early, and will also show the reasons which actuated General Hunter in the destruction he wrought, so that the reader may not draw false conclusions concerning him because of the statement that McCausland laid the best part of Chambersburg in ashes in retaliation for depredations committed by Hunter.

We will first cite the Union authorities, following them with the Confederate authorities, and then give the account of Mr. Jacob Hoke, a resident of Chambersburg at the time of its burning.

In the *Itinerary of the Department of the Susquehanna*, July 3-August 1, the following statement occurs, published in the *Official Records*:³

At 5.30 a.m. enemy entered Chambersburg, force consisting of six companies battalion Maryland [Virginia] cavalry, Major Sweeney commanding, dismounted, and four companies, under Maj. H. W. Gilmor, mounted, Brigadier-Generals McCausland and Bradley T. Johnson (supposed) accompanying; made a demand upon the citizens for \$500,000 in United States notes or \$100,000 in gold, which was not furnished. At 7. a.m. com-

² Rhodes, Vol. 3, p. 300.

³ O. R., Vol. 70, p. 337.

menced firing the town, which was done in about fifty places, including the residence of the commanding general. No Government buildings were destroyed. A store house occupied by the commissary of subsistence (in which were no stores), was fired and consumed. Loss of private property estimated at \$1,500,000.

D. McConaughy, reporting to Major-General D. N. Couch and Governor A. G. Curtin, from Gettysburg, July 31, 1864, 3 a.m., says: ⁴

Our scouts, Dr. Taylor and William H. Crawford, reached Chambersburg after 6 p.m. evening of 30th. Left there at 8.30 p.m., and just returned. Report 600 mounted rebels, under General McCausland, having entered Chambersburg 6 a.m. yesterday, Saturday [30th], made a demand on the town for \$600,000, \$100,000 in gold and balance in Government notes, and accompanied it with threat to burn the town if not complied with within three hours. The rebels immediately began to plunder, and within an hour, before 8 a.m., applied the torch, commencing with town hall, Franklin House, and the private houses until they had fired the whole central portion of town, embracing twenty squares, extending from railroad depot on north to German Reformed Church on Washington Street on south, five squares, and from where Franklin railroad crosses Market Street on east to King Street on west, four squares, wholly destroying also dwellings and factories elsewhere. All the hotels and boarding-houses are destroyed, Wonderlich and Steed's warehouse, and all the public buildings, except public school, jail, and railroad depot. Rebels left Chambersburg at 1 p.m., going north, taking McCausland with them drunk. . . .

Governor Curtin, in his message to the Pennsylvania Legislature, August 9, 1864, says, concerning Chambersburg: ⁵

At 7 a.m. six companies of dismounted men, commanded by Sweeney, entered the town, followed by mounted men under Gilmor. The main force was in line for battle. A demand was made for \$100,000 in gold or \$500,000 in Government funds, as ransom, and a number of citizens were arrested and held as hostages for its payment. No offer of money was made by the

⁴ O. R., Vol. 71, p. 542.

⁵ O. R., Vol. 90, p. 754.

citizens of the town, and even if they had any intention of paying a ransom, no time was allowed, as the rebels commenced immediately to burn and pillage the town, disregarding the appeals of women and children, the aged and infirm, and even the bodies of the dead were not protected from their brutality. It would have been vain for all the citizens of the town, if armed, to have attempted, in connection with General Couch's small force, to defend it. General Couch withdrew his command, and did not himself leave until the enemy were actually in the town.

Major-General D. N. Couch, in his official report to General Halleck, August 8, 1864, says: ⁶

The enemy were held in check about two hours, my people slowly retiring through the town, being careful not to fire a shot within its limits, in order that there should be no excuse for firing buildings or committing any barbarities upon the people. The enemy, consisting of Brigadier-General McCausland's brigade of five regiments, and four pieces of artillery and Brig. Gen. B. T. Johnson's brigade of two regiments, four battalions, with two pieces of artillery, numbering 2,600 in all, formed line of battle on the fair grounds, men dismounted, and after firing two or three cannon shots into the town, entered the same at about 5.30 a.m. with from 400 to 500 mounted and dismounted men. It is certain that both McCausland and Johnson were present.

The chief burgess being absent, some of the principal citizens were arrested by Major Gilmor and notified that by order of Major-General Early \$100,000 in gold or \$500,000 in currency was required to ransom the town. He was told by these gentlemen that there was not probably \$50,000 in currency at hand; to which he replied "The town must be burnt." Details were made and placed under charge of officers and fires kindled, it is said, almost simultaneously in fifty different places. In some instances the first warning to occupants of buildings came from the fire and smoke beneath them, thus barely escaping with their lives. Some of the officers and men refused, or were persuaded not to carry out their barbarous orders, and assisted people in fleeing from the flames, but generally an inhuman and savage ferocity characterized their actions. The sufferers, with few exceptions, only saved the clothing on their persons. Thus was

⁶O. R., Vol. 70, p. 333.

consummated this premeditated deed of barbarity. At about 11 a.m. the enemy drew in their pickets, and a little later their pillaging and burning parties retired toward McConnellsburg.

We call attention in the above account to General Couch's statement, that he was careful that no shot should be fired within the limits of the town, in order to prevent an excuse for devastation on the part of the rebels. This is important, for it shows how differently Confederate and Union troops acted under the same circumstances, for the situation had been reversed at Lexington in the previous June, and General Hunter did not burn Lexington, as he would have been justified in doing, and as his report, which we shall later cite, shows.

Sergeant Will S. Kochersperger, "Indorsement Clerk at Hdqrs. Dept. of the Susquehanna," in his report, August 9, 1864, says:⁷

HDQRS. DEPARTMENT OF THE SUSQUEHANNA,
HARRISBURG, PA., AUGUST 9, 1864.

MAJOR: I have the honor to report relating to the late invasion by the rebels in Chambersburg, Pa., on the morning of the 30th of July, 1864. Being on detached duty at headquarters of the department at that place, and unavoidably detained there, I was present both on the entrée and departure of their force in and out of town, and was both an eye-witness and observer of the following, which came under my immediate observation:

The rebels entered the town with a force of (I do not think over) 500 mounted men, under the command of Generals McCausland and Bradley T. Johnson, the main body being encamped on the fair grounds, about one and a half miles out of town, on the Pittsburg pike. Before entering the rebels fired two shells in the town. They then entered by almost every alley and by-street by small squads prior to the advance of the main body, which came up directly in the rear. On arriving into town, General McCausland informed me personally that if I had any self-interest at stake it would be well for me to listen to the order he would read and get the municipal authorities together to hold a meeting and comply with their desires. The order it-

⁷ O. R., Vol. 70, p. 334.

self was handed me, which I read myself, the purport of which was as follows:

That in retaliation of the depredations committed by Major-General Hunter, of the U. S. forces, during his recent raid, it is ordered that the citizens of Chambersburg pay to the Confederate States by General McCausland the sum of \$100,000 in gold; or in lieu thereof \$500,000 in greenbacks or national currency was required to ransom the town, otherwise the town would be laid in ashes within three hours.

The order was signed by General Early. After reading the order I started to find the town council. Meeting one of them I informed him of the facts, when he told me that the citizens would not pay them 5 cents. I returned and met General Bradley T. Johnson on the portico of the Franklin Hotel. The rebels were by this time dismounted and breaking in the doors of stores and houses, and had already commenced plundering. When they entered it was 5:30 a.m., from which time I was in company with both Generals McCausland and Johnson (being in citizen's dress they did not know me). General McCausland was appealed to by Johnson to relent or at least give the citizens more time, but he was determined. At 9 o'clock McCausland ordered the town burnt. In a few moments the commissary store-house was in flames, during which time McCausland and Gilmor were riding through town notifying the citizens, pointing to the flames, that he intended to carry his threat into execution. He returned to the Franklin Hotel and had a consultation with General Bradley T. Johnson, during which I overheard McCausland say that General Averell was only four miles out of town with a force of 2,000 cavalry, and that he would now burn the town and return the way they came. In a few moments the court-house and town-hall were in flames, when simultaneously on the right and left sides of the main street was in one mass of flames; but little time elapsed when the houses on both sides of the by-streets were in the same condition. I repaired to the hotel and found a party of rebels ransacking the trunks of the boarders, and donning the clothes contained therein. In my trunk was my uniform, other clothes, and letters, &c., by which they learned that I was connected with the headquarters of the department. They immediately took me prisoner, when they confined me in a tin store adjoining the hotel, where they dressed themselves in my clothes, destroying the emblems of the U. S. service. I was thus confined until the houses on both sides the

one in which I was imprisoned were in flames, when I escaped through a window to the rear of the building. At this time (about 12 m.) the rebels were mounted and on their return, leaving only a small number as stragglers and pickets. When they left nearly two-thirds of their party were in a state of intoxication, hardly capable of sitting on their horses. I remained in Chambersburg until midnight of Saturday, when I walked to Shippensburg, arriving in Harrisburg on Monday.

The above-cited accounts are from the Union side, and, that the reader may judge how correct they are, we will now cite the reports and statements of the Confederate officers.

Brigadier-General Bradley T. Johnson, in his official report to Assistant Adjutant-General A. S. Pendleton, August 10, 1864, says, concerning Chambersburg:⁸

(The italics are ours.)

The command here [Mercersburg] fed, and at 9 p.m. we moved on Chambersburg, which place we reached just before day. My advance had skirmished all night with a party in front and on the outskirts of the town, being fired into with canister from a field piece. Our further progress was delayed until broad day disclosed the weakness of the enemy. Brigadier-General McCausland ordered me to send in the Twenty-first Virginia, Colonel Peters, to occupy the town, the Thirty-sixth [Battalion], Major Sweeney, having preceded it as skirmishers on foot. After remaining in the town some three hours, *he ordered it to be fired, which was done quickly and in many places.* As soon as it was fairly burning we moved on McConnellsburg.

This is what the Confederate report shows: "*he ordered it to be fired, which was done quickly and in many places!*"

Contrast this conduct with that of Sherman and his officers in Columbia, some six months *later*. Before the Union troops entered Columbia, commands were given to protect private property, and, from the moment of their entrance, the officers strove with all their might to quench the fires started by Confederate acts. Is it any wonder that those who laud the Confederacy are silent about Chambersburg, or seek to accuse Sherman of doing likewise at Columbia. in order to take the

⁸ O. R., Vol. 70, p. 355.

curse off of Confederate barbarism? How hypocritical appears that order of General Lee of June 27, 1863, dated at this very Chambersburg, wherein he says: "The commanding general considers that no greater disgrace would befall the army, and through it our whole people, than the perpetration of the barbarous outrages upon the innocent and defenceless!"

This disgrace of "outrages upon the innocent and defenceless" is upon the troops of Lee's command, and that it is a disgrace is shown by the silence of historians, or the mere casual reference to it, such as Rhodes makes. "It must be remembered," says Lee, "that we make war only on armed men, and that we cannot take vengeance for the wrong our people have suffered without lowering ourselves in the eyes of all whose abhorrence has been excited by the atrocities of our enemy, and offending against Him to whom vengeance belongeth, without whose favor and support our efforts must all prove in vain." When we read the foregoing words let us remember that Chambersburg was fired by the order of Confederate officers of Lee's Army, and it was fired quickly—and in many places!

We will now hear from General Early himself, since he it was who gave the order to destroy Chambersburg. Besides his order to McCausland, several of Early's letters have been published which are of value on this subject; but, before we cite them, we will call attention to the fact that Early was acting directly under General Lee.

On June 29, 1864, General Lee, in a letter to Jefferson Davis, says: ⁹ "I inclose for your perusal a letter [not found] received today from General Early. His general plan of action is in conformity to my original instructions and conversation with him before his departure. I still think it is our policy to draw the attention of the enemy to his own territory."

On July 19, 1864, we find General Lee beginning a report with the words: ¹⁰ "I have the honor to transmit herewith the report of General Early of his late operations in the Valley and in Maryland"; and on July 11, 1864, Lee wrote to Early

⁹ O. R., Vol. 70, p. 769.

¹⁰ O. R., Vol. 70, p. 346.

concerning his manoeuvres:¹¹ "In your further operations you must of course be guided by the circumstances by which you are surrounded, and the information you may be able to collect, and must not consider yourself committed to any particular line of conduct, but be governed by your good judgment."

In the light of this order, giving him free sway, Early's order to McCausland is very illuminating. It is as follows:

HEADQUARTERS, V. D. JULY 25TH, 1864.

INSTRUCTIONS FOR GENERALS MCCAUSLAND AND JOHNSON

Cross your brigades at McCoy's Ferry or Clear Spring, and then proceed to Hagerstown, and from there to Chambersburg. At Chambersburg levy \$100,000 in gold or \$500,000 in northern money, to pay for the houses of Andrew Hunter, Alexander R. Boteler, Edmund L. Lee, of Jefferson County, Va., which were burned by order of the Federal Military authorities, and if the money is not paid burn the entire town as a retaliation for the burning of these houses and others in the state of Virginia by Federal authorities.

Burn the depots at Chambersburg and proceed from there by McConnellsburg to Cumberland and destroy the bridges on Baltimore and Ohio Railroad as you go, and if you can, the tunnel at Paw Paw. Levy in Cumberland \$100,000 in gold or \$500,000 in northern funds, then destroy R.R. shops, depots, &c., and burn all iron works and the machinery at all coal pits in that region of country.

Break up the establishment at New Creek and burn all bridges within reach. Gather all the cattle you can in Alleghany County and the adjoining county of Pennsylvania; also from the western part of Hardy, taking care not to disturb the property of good Southern men in this county.

The cattle fit for beef must be taken and paid for. Return through Hardy County towards Winchester, sending the cattle through Brock's gap to Harrisonburg.

J. A. EARLY,
Lt. General.

Official

T. ROWLAND, A.A.G.¹²

¹¹ O. R., Vol. 71, p. 596.

¹² From original order in possession of General Bradley T. Johnson, Amelia Court House, Virginia.

The first of Early's statements which we will cite occurs in his autobiographical narrative. It says: ¹³

The act was done in retaliation for outrages committed by General David Hunter in the Valley of Virginia.

I thought it was time to try and stop this mode of warfare by some act of retaliation, and I accordingly sent a cavalry force to Chambersburg, Pennsylvania, to demand of the authorities of that town compensation for the houses of Messrs. Hunter, Lee and Boteler, upon pain of having their town reduced to ashes on failure to pay the compensation demanded. The three houses burned were worth fully \$100,000 in gold and I demanded that, or what I regarded as equivalent in greenbacks. No attempt was made to comply with my demand and my order to burn the town was executed.

This was in strict accordance with the laws of war and was a just retaliation. I gave the order on my own responsibility, but General Lee never in any manner indicated disapproval of my act, and his many letters to me expressive of confidence and friendship forbade the idea that he disapproved of my conduct on that occasion. It afforded me no pleasure to subject non-combatants to the rigors of war, but I felt that I had a duty to perform to the people for whose homes I was fighting and I endeavored to perform it, however disagreeable it might be.

In his book, *The Great Invasion*, Mr. Jacob Hoke publishes a letter which he received from General Early in which the latter says, concerning Chambersburg: ¹⁴

YELLOW SULPHUR SPRINGS, SEPTEMBER 4TH, 1884.

J. HOKE, ESQ.:

SIR—Having been from home since the 5th of August, your letter of the 6th of that month did not reach me until a very few days ago, when it was forwarded to me from Lynchburg with a number of others.

As you desire my statement in regard to the burning of Chambersburg, Pennsylvania, under my order in July, 1864, I send you a copy of my "Memoirs of the Last Year of the War," in which you will find, on pages 60 to 70, my account of

¹³ P. 478.

¹⁴ Hoke, *The Great Invasion*, p. 589.

that affair. All I have to add, is that on my march from Lynchburg in pursuit of General Hunter, and down the valley on the expedition against Washington, I had seen the evidences of the destruction wantonly committed by his troops under his orders, including the burning of a number of private houses without provocation, among them being the family residence, at Lexington, of ex-Governor Letcher; also the Virginia Military Institute at the same place, and a part of the town of Newtown, in Frederick County; and in addition there had been a wholesale destruction of private property, including even wearing apparel of ladies, and bed clothing; the beds in many cases being cut to pieces and the feathers scattered to the winds. In addition, there had been the destruction of several towns in the South by Federal troops, among them being the town of Darien, Georgia, in the year 1863. When, therefore, on my return from the expedition threatening Washington, I found that Hunter, who had reached the lower valley on the Baltimore and Ohio Railroad, after his flight to the Kanawha Valley, had been engaged in his accustomed work, and had burned the valuable residences of several citizens of Jefferson County, I determined to demand compensation therefor from some town in Pennsylvania, and in the event of failure to comply with my demand to retaliate by burning said town. The town of Chambersburg was selected because it was the only one of any consequence accessible to my troops, and *for no other reason*. The houses mentioned with their contents, all of which were destroyed, were fully worth at least \$100,000 in gold, and I required \$500,000 in United States currency in the alternative, for the reason that said currency was rapidly depreciating, being then nearly three to one in gold, and I determined to secure the full equivalent of \$100,000 in gold. I will add that according to the laws of retaliation in war, I would have been justified in burning Chambersburg without giving the town a chance of redemption.

Compare the expedition of Hunter into Virginia in June, 1864, the campaign of Sherman in Georgia and South Carolina, of Banks in the trans-Mississippi, and Sheridan in the valley of Virginia, with General Lee in Pennsylvania, leaving out of consideration Beast Butler's performances in New Orleans, and then say whether the denunciations of those who applaud the destroyer of Atlanta, Georgia, and Columbia, South Carolina, and him who boasted that, besides burning the town of Dayton, he had

so desolated the valley as that a crow flying over it would have to carry its rations, should have any terror for me.

Respectfully,

J. A. EARLY.

We have already shown how false is Early's statement that Sherman destroyed Columbia, South Carolina; and, concerning Atlanta (fully discussed in Chapter XVIII), Sherman more than once says that it was destroyed "save its mere dwelling houses and churches."

An interesting corroboration of Sherman was printed in the *Atlanta Journal* of July 6, 1924: J. W. Whittle, who was a fourteen-year-old Confederate courier in the battle of Atlanta, is cited by the *Journal* as saying:

"Well, now, I'll tell you. You hear lots about the burning of Atlanta, but what Sherman burned was the public buildings. The business section of Atlanta reached from about where the capitol is to the Candler building, and he burned the stores and public buildings along there. But he never burnt the homes. Some of them caught fire from the stores, but he didn't set them on fire."

We believe that General Sherman and this Confederate soldier, who were present at the fall of Atlanta, are better authorities than General Early, who was in Virginia at the time. Concerning Early's references to Generals Hunter, Sheridan, and "Beast" Butler, we will return later, as Chambersburg is our present subject.

General Early wrote to Edward Bok concerning Chambersburg, as follows:¹⁵

The town of Chambersburg was burned on the same day on which the demand on it was made by McCausland and refused. It was ascertained that a force of the enemy's cavalry was approaching, and there was no time for delay. Moreover, the refusal was peremptory, and there was no reason for delay unless the demand was a mere idle threat.

I had no knowledge of what amount of money there might be in Chambersburg. I knew that it was a town of some twelve

¹⁵ *The Americanization of Edward Bok*, p. 209.

thousand inhabitants. The town of Frederick, in Maryland, which was a much smaller town than Chambersburg, had in June very promptly responded to my demand on it for \$200,000, some of the inhabitants, who were friendly to me, expressing a regret that I had not made it \$500,000. There were one or more National Banks at Chambersburg, and the town ought to have been able to raise the sum I demanded. I never heard that the refusal was based on the inability to pay such a sum, and there was no offer to pay any sum. The value of the houses destroyed by Hunter, with their contents, was fully \$100,000 in gold, and at the time I made the demand the price of gold in greenbacks had very nearly reached \$3.00 and was going up rapidly. Hence it was that I required the \$500,000 in greenbacks, if the gold was not paid, to provide against further depreciation of the paper money.

I would have been fully justified by the laws of retaliation in war in burning the town without giving the inhabitants the opportunity of redeeming it.

It is interesting to note how, in each of his three statements, Early insists on the force of the law of retaliation, ignoring the general order issued from Chambersburg in 1863, which expressly forbade acts of vengeance. Either Early was disobedient in burning Chambersburg as an act of retaliation or Lee's General Order No. 73 was a worthless scrap of paper. Considering Lee's remark to Davis, in his letter of June 29, 1864, that, "I still think it is our policy to draw the attention of the enemy to his own territory," it would seem but further corroboration of the fact that that General Order was merely political propaganda to induce pacifism in the North, and was so understood by such subordinates as Early.

Mr. Hoke, in his account of "the great invasion," gives a graphic account of the burning of Chambersburg, of which he was a witness. He says:¹⁶

At an early hour in the morning—Saturday, July 30th—General McCausland placed about two thousand of his command in line upon a hill near the western suburb of the town, and about one mile from its center. Six pieces of artillery were also placed in position, and three shells were fired into the place without any notice to the citizens. The remaining nine hundred

¹⁶ P. 582.

of his force were sent into the town, and the Court House bell was rung as a signal for the citizens to assemble to hear his requisition. No response being made, a guard under Major Harry Gilmore, of Baltimore, was sent around, who captured some six or eight of our leading men and conducted them to the front of the Court House. Captain Fitzhugh, McCausland's chief of staff, then read to them General Early's requisition, demanding the immediate payment of one hundred thousand dollars in gold, or five hundred thousand dollars in United States currency, and in default of payment ordering the destruction of the town. This order stated that this requisition and threatened burning were in retaliation for acts of destruction committed by General Hunter in the Valley of Virginia, and specially naming some half dozen dwellings which he had burned. The money demanded was not, and could not be paid, for the reason that there was nothing like the amount demanded remaining in the town. Besides the citizens did not feel like contributing to aid in the overthrow of their government. While these negotiations were going on the work of plunder had already been commenced. Stores, shops, and other places of business were broken into and robbed of whatever of their contents yet remained unremoved or unsecreted. In some cases saloons were opened and liquor obtained and some of the soldiers became intoxicated. Citizens, too, along the streets were relieved of hats, caps, boots, shoes, watches, etc.

As soon as General McCausland saw that the money demanded would not be furnished he gave the order to commence the work of destruction. Detachments were sent to different parts of the town. Houses were opened, furniture was broken and piled upon heaps in rooms and fired. In some cases fire was kindled in closets, bureaus, and other depositories of clothing. Many of the Confederate soldiers entered into this work with evident delight, and to the entreaties and tears of the aged, the infirm, of women and children, they turned a deaf ear. Others, to their credit be it said, entirely disapproved of the work, and only entered upon it because compelled to do so. In some instances, in response to the cries and entreaties of the afflicted inmates of the houses entered, the unwilling soldiers would say: "I must obey my orders and fire your house; you can do what you please when I leave." In some cases, after fire had been kindled, others would come in and assist in extinguishing it. Some sections of the town were entirely saved because the officers sent there re-

fused to execute their barbarous orders, and in a few cases officers and soldiers worked with citizens at the fire engine to extinguish the flames. Cases were numerous in which valuable articles were taken from those who were dragging them from their burning homes, or through streets and alleys, up upon the horses by their riders and safely deposited upon the outskirts of the town. Others again were robbed of valuable articles which they were trying to carry away. The writer, while running with his family through flame and smoke, was pursued and stopped by a Confederate cavalryman and ordered to hand over a satchel. When assured that it contained neither money nor valuables, but a few pieces of clothing, the man desisted and rode away. No sooner did this one leave us than another rode up and entreated one of the ladies of our company to mount his horse and ride away, declaring that he would never use him again in the Confederate service.

The scenes enacted in the streets during the earlier part of the burning were distressing indeed. People were running wildly about in search of children and friends. The occupants of houses were dragging from their threatened or burning homes valuable articles, such as sewing machines, articles of furniture, etc. Others with their arms full of clothing, bedding, carpets, books, pictures, etc., were running hither and thither seeking places of safety. In some cases these persons were compelled to sit down and pull off their boots and hand them over to some cavalryman.

In a town the size of Chambersburg there were necessarily many aged, infirm, and sick persons, as well as some dead bodies of friends awaiting burial. The infirm had to be assisted to places of safety; the sick removed; and corpses temporarily buried in gardens. In a few cases houses isolated from others were spared and guards placed about them, because one or more of the inmates were too ill to be removed; and others still were spared by paying a ransom. Had the destruction occurred in winter, or at night, or during a storm, the destruction of life, with other imaginable horrors, would have been fearful.

Mr. Hoke further says, concerning the ruin wrought:¹⁷

The work of destruction was commenced about eight o'clock in the morning, and by eleven o'clock the enemy had all gone,

¹⁷ P. 587.

but so thorough had been their work that the major part of Chambersburg—its chief wealth and business, its capital and elegance—were laid in ruins. Ten squares of buildings were burned and two thousand human beings were made homeless, and many of them penniless. From this disaster the majority never recovered, but lived the remainder of their days in poverty. Reduced from affluence to poverty, many were dependent upon the charity of the few whose homes escaped the invaders' torch, as well as upon the provision made by the military authorities to meet their immediate wants. . . .

The following is the aggregate of the buildings burned: Residences and places of business, 266; barns and stables, 98; out-buildings of various kinds, 173; total buildings burned, 537.

On August 4, 1864, General Lee, in a long letter to Davis, in which he reports the activities of his command, says:¹⁸ "On the 29th ultimo McCausland's and Johnson's brigades of cavalry crossed the Potomac at Clear Springs, with orders to proceed to Chambersburg, thence west to Cumberland and destroy the bridges over the Baltimore and Ohio railroad," etc.

This is the only reference Lee makes to the holocaust at Chambersburg. Yet, as we have shown, in earlier invasions of Union territory he fulminated against the outrages on Union citizens committed by his command. Why was he silent about Chambersburg? The answer is plain: the earlier outrages, he explained, were injurious to "our cause," and it was for that reason alone that he deprecated them: the fact that the helpless were being despoiled did not weigh with him at all.

So, the burning of Chambersburg by his subordinate, acting under his general orders, was justified by Lee, since it was his theory that "it is our policy to draw the attention of the enemy to his own territory." This infamous deed was supposed to help his "cause" by striking terror into the hearts of the loyal. The burning of Chambersburg is another of those ineluctable proofs of the hypocrisy of Lee, most signally manifested in his much-lauded General Order Number 73.

¹⁸ O. R., Vol. 88, p. 1161.

What would have happened to the Southland if Sherman, acting under the barbarous laws of retaliation enunciated by Lee's lieutenant, Early, had burned 537 houses for every six houses burned in Chambersburg in the previous July? He could have done so, and none could have stayed his hand; but he did not do so.

CHAPTER XXIII

EARLY'S OTHER DEPREDACTIONS

It is singular that the Confederates should assume that the law of retaliation justified Early's course at Chambersburg, for, if that were so, then, from the early days of the war, the Union troops would have been justified in wholesale burning—that is, if the proper proportion of retaliation was 537 to 6.

For on August 7, 1861, the rebels under General Magruder burned Hampton, Virginia, and entirely destroyed that town, described as one of the oldest, handsomest, and most aristocratic villages in the Old Dominion. But one house was left standing. And this ruin was wreaked upon Hampton because it had been occupied by Union troops.¹

On August 27, 1862, the rebels attacked, fired, and pillaged the town of Augusta, Kentucky. Much of the town was destroyed, and the loss was estimated at \$100,000;² Quantrall had, on August 21, 1863, sacked and burned the town of Lawrence, Kansas.

If retaliation was one of the laws of war, then, for these three towns alone, the Union troops would have been justified each year in burning a great number of towns; but there is no record that they did so.³

¹ Moore's *Rebellion Record*, p. 488.

² O. R., Vol. 22, pp. 1014-15.

³ Note: As this book is being put in type, we have marked that in an article on Beaufort County, N. C., covering ten pages of the *Congressional Record* of April 29, 1930, Representative Lindsay C. Warren of North Carolina refers to the burning and pillaging of Washington, N. C., by Union troops, on April 30, 1864. He mentions (p. 8315) that these acts were denounced by the Commanding Officer, General I. N. Palmer, and the Board of Investigation, quoting them in part. He also says: "No town gave more freely of its men and means and no town suffered more for the cause of the Confederacy." He also shows that, while half the town was burned as the Union troops evacuated it, almost all the rest of it was accidentally burned when the Confederates re-entered.

There was another reason, deeper seated than the destruction of six houses and the Virginia Military Institute, which made General Hunter the object of animadversions along with Butler, Sherman, and Sheridan. But before we consider General Hunter's conduct and his reasons therefor, we wish to present the evidence of Early's other activities in Maryland and Pennsylvania, so that the reader may understand that Chambersburg was not an isolated act, but the culmination of a series; and then, when we have presented the data concerning General Hunter, we are willing that the reader shall judge between the two.

Early's raids into Union territory began in 1863; but he was not the only Confederate commander engaged in levying on Union people, for Imboden and Mosby were busy, too; nor was he the first to levy on Chambersburg: Generals Ewell and Jenkins, on June 23 and 24, 1863, made vast requisitions on the town, which included ⁴ 5000 suits of clothing; 100 good saddles; 100 good bridles; 5000 bushels of grain; 10,000 lbs. sole leather; 10,000 lbs. horse-shoes; 6000 lbs. lead; 10,000 lbs. harness leather; 50,000 lbs. bread; 100 sacks salt; 30 barrels molasses; 500 barrels flour; 25 barrels

Mr. Warren's account is most misrepresentative: he indicates that Union sentiment was found "among a few individuals," whereas the Union sentiment was strong in that part of North Carolina, the First and Second North Carolina (Union) Regiments (white) being mustered there.

Further, the burning of Washington, N. C., is involved in so many other events, such as the guerilla warfare waged against the Union troops (O. R., Vol. 26); the execution as felons of Union soldiers captured by Confederates (O. R., Vol. 60); the burning of Plymouth, N. C., by the Confederates on December 10, 1862 (O. R., Vol. 26); and the necessity for flight of loyal families when the Union forces evacuated Washington, that justice cannot be done the subject without an extended exposition of the illegal acts of the Confederates in that neighborhood.

It is no where alleged that Washington, N. C., was burned "in retaliation." The Board of Investigation (O. R., Vol. 60, p. 311) found that, besides soldiers, sailors, hands, negroes, and, in some instances, citizens, joined in the work of plunder. They also found that the Union officers did all in their power to stay destruction, and, in fact, succeeded in having all but two fires extinguished.

We call attention to the fact that the Union officers strongly condemned all these acts of destruction, thereby offering a striking contrast to Confederate officers, who not only approved but ordered the destruction of Chambersburg.

⁴ Hoke, p. 139.

vinegar; 25 barrels beans; 11,000 lbs. coffee; 10,000 lbs. sugar; 100,000 lbs. hard bread.

The vast amount of supplies collected by the Confederates were not alone for the support of the invading army, but were sent into the Confederacy, too, for its support. Bragg, in Kentucky, collected an immense amount for the rebels.⁵ It is part of the game of war. Yet, Sherman, living off of the country on his march, is held up as an iniquitous example when he merely supplied his own troops, without collecting food stuffs to be sent out of the country. To draw fair conclusions, the loyal and the disloyal must be judged by the same standards.

On June 25, 1863, Early says,⁶ "We were now in the enemy's country, and were getting our supplies entirely from the country people. These supplies were taken from mills, storehouses, and the farmers, under a regular system ordered by General Lee, and with a due regard to the wants of the inhabitants themselves, certificates being given in all cases." These certificates were, of course, worthless.

On June 26, 1863, Early says,⁷

I caused the iron works of Mr. Thaddeus Stevens near Greenwood, consisting of a furnace, a forge, a rolling mill—with a saw mill and store house attached,—to be burnt by my pioneer party. The enemy had destroyed a number of similar works, as well as manufacturing establishments of different kinds, in those parts of the Southern States to which he had been able to penetrate, upon the plea that they furnished us the means of carrying on the war, besides burning many private houses and destroying a vast deal of private property which could be employed in no way in supporting the war on our part; and finding in my way these works of Mr. Stevens, who—as a member of the Federal Congress—had been advocating the most vindictive measures of confiscation and devastation, I determined to destroy them. This I did on my own responsibility, as neither General Lee nor General Ewell knew I would encounter these works. A quantity of provisions found in store at the furnace was appropriated to

⁵ O. R., Vol. 128, p. 285.

⁶ Early, p. 254.

⁷ *Ibid.*, p. 255.

the use of my command, but the houses and private property of the employees were not molested.

In a letter of May 7, 1886,⁸ Early says: "This burning was simply in retaliation for various deeds of barbarity perpetrated by Federal troops in some of the Southern States, as was the subsequent burning of Chambersburg in 1864."

In justice to Early, we call attention to the fact that this act of retaliation in 1863, was committed the day before Lee issued his famous General Order No. 73, so is not under the ban. As Early speaks only in glittering generalities about the deeds perpetrated by Federal troops, we cannot answer this charge, except to state that, judging by his excuses for destroying Chambersburg, if he had been able to name any special acts, he would have done so.

Hoke says that:⁹

On Tuesday, June 16th [1863,] . . . a marauding party visited these works, and upon condition that they should be spared, all the horses and mules belonging to the premises were delivered to them. Hon. John Sweeney, Mr. Stevens' business manager, says that he had an interview with General Early, as he sat upon his horse that day, and endeavored to dissuade him from executing his threat to destroy these works. He told him that so far as Mr. Stevens was concerned, he would be better off if his works had been destroyed ten years before, but for the sake of the many poor people who were dependent upon them for support, and would be thrown out of employment if they were destroyed, he should spare them. To this appeal General Early replied, "That is not the way Yankees do business. They do not go on unless they make money. Then Mr. Stevens is an enemy of the South. He is in favor of confiscating their property and arming the negroes. His property must be destroyed." General Early then specially detailed Colonel French to apply the torch, and the whole was soon a mass of smouldering ruins.

On this same June 26, on which he burned the Stevens property, Early entered Gettysburg and made requisition "upon the authorities for sixty barrels of flour, seven thou-

⁸ Hoke, p. 171.

⁹ Hoke, p. 170.

sand pounds of pork or bacon, one thousand two hundred pounds of sugar, one hundred pounds of coffee, one thousand pounds of salt, forty bushels onions, one thousand pairs shoes, five hundred hats; or, ten thousand dollars in money.”¹⁰

The authorities notified him that it was impossible for them to meet these demands. Early says,¹¹ “I caused the stores in town to be searched and succeeded in finding only a small quantity of articles suited for commissary supplies, which were taken. It was late and I had to move early in the morning towards York, so that I did not have time to enforce my demands.”

On June 28, Early entered York, and Mr. Hoke describes what happened there, as follows:¹²

As the division [Early's] approached York, the burgess, Mr. David Small, went out several miles to meet the advancing Confederates and surrender to them the town. Special immunity was expected because of this voluntary surrender, but no sooner were the enemy in possession of the town, than demands were made for a large amount of supplies, among which were two hundred barrels of flour, thirty thousand bushels of corn, and one thousand pairs of shoes. This requisition was soon followed by another, demanding the sum of one hundred thousand dollars in cash. The furnishing of this money was to be the consideration for sparing the town from plunder and destruction, and notwithstanding twenty-eight thousand dollars — all that could be obtained at the time — were paid over, General Early issued the following order, or address to the people:

To the Citizens of York:

I have abstained from burning the railroad buildings and car shops in your town, because, after examination, I am satisfied that the safety of the town would be endangered; and, acting in the spirit of humanity, which has ever characterized my government and its military authorities, I do not design to involve the innocent in the same punishment with the guilty. Had I applied the torch without regard to consequences, I would have pursued a course that would have been vindicated as an

¹⁰ Hoke, p. 171.

¹¹ Early, p. 258.

¹² Pp. 183-4.

act of retaliation [Lee's order No. 73 had been issued before this], for the many authorized acts of barbarity perpetrated by your own army upon our soil. But we do not war upon women and children, and I trust the treatment you have met with at the hands of my soldiers will open your eyes to the monstrous iniquity of the war waged by your government upon the people of the Confederate States, and that you will make an effort to shake off the revolting tyranny under which it is apparent to you all you are yourselves undergoing.

This address is a most amazing document, claiming, as it does, great credit for not burning a defenceless town which had surrendered, and thus carrying out Lee's peace propaganda. Considering the import of this address, that he deemed it honorable to burn a surrendered town, we are quite prepared for the burning of Chambersburg later, for, in this address, Early assumed a virtue, though he had it not.

In his official report,¹³ Early says that, besides the \$28,000 in money, between 1,200 and 1,500 pairs of shoes, the hats, socks, and rations were furnished.

Early summarizes this raid into Union territory as follows:¹⁴ "By moving into Pennsylvania we transferred the theatre of the war for a time into the enemy's country. Our army was supplied from that country and from stores captured from the enemy for more than a month and this gave a breathing spell to our commissary department, which had been put to great straits."

Major-General R. E. Rodes, in his report of the Gettysburg campaign, gives interesting data concerning this same territory. He says:¹⁵

I may as well mention here that at Williamsport, Hagerstown, Chambersburg, &c., large quantities of such articles as were suitable for Government use were obtained by purchase or certificate, and sent back by Quartermasters Paxton, [J. D.] Rogers and [J. A.] Harman. During the march into Pennsylvania, some 2,000 or 3,000 head of cattle were taken, and either appropriated for the

¹³ O. R., Vol. 44, p. 466.

¹⁴ Early, p. 286.

¹⁵ O. R., Vol. 44, p. 550.

command or sent to the rear for the other divisions. Some 1,200 or 1,500 were thus sent back. The horses were almost all seized by the cavalry of General Jenkins, and were rarely accounted for. . . .

Again, speaking of Carlisle, Pennsylvania, he says: "Large supplies of cattle, horses, and flour were obtained here and on the march."

Such reports as those just cited show how liberally the Confederates helped themselves, in 1863, to supplies in Union territory. In the summer of 1864 they were again busy collecting stock, supplies, and money. Early, in his official report of July 14, 1864, says:¹⁶

An immense amount of damage has been done the enemy. Our cavalry has brought off a very large number of horses. Over 1,000 have been brought off and \$220,000 in money was levied and collected in Hagerstown and Frederick, the assessment against the latter being \$200,000, all of which was paid in Federal and Northern money.

Shortly after this—sixteen days later—he destroyed Chambersburg. Postmaster General Blair's house near Silver Springs was burned on this raid, on July 12. Early denies responsibility for it; but, by Confederate reckoning, it should stand against one of the houses burned by Hunter.

However much Early may have satisfied himself that the laws of retaliation justified his destruction of Chambersburg, it is worthy of note that he was one of the few rebel commanders who fled at the time of the surrender. This act is inexplicable, unless we conclude that he thought that others did not regard his acts as justified under the laws of war.

¹⁶ O. R., Vol. 70, p. 349.

CHAPTER XXIV

GENERAL HUNTER IN THE VALLEY OF VIRGINIA

General Early, in his order for the burning of Chambersburg, and in the letters he wrote subsequently, says he was justified because General David Hunter had burned the houses of Andrew Hunter, a member of the Virginia Senate; Alexander R. Boteler, a former member of the Confederate Congress; Edmund I. Lee; and former Governor Letcher; also, the Virginia Military Institute; and because Darien, Georgia, had been burned by Union forces. To this list General Imboden adds the house of J. T. Anderson.

Concerning Hunter's activities in the Virginia Valley, also known as the Shenandoah Valley, Rhodes quotes Long thus: ¹

From Staunton Hunter advanced by way of Lexington and Buchanan, burning and destroying everything that came in his way, leaving a track of desolation rarely witnessed in the course of civilized warfare. . . . The beautiful valley of Virginia everywhere gave evidence of the ravages of war. Throughout the march down the valley the unsparing hand of Hunter was proclaimed by the charred ruins of its once beautiful and happy homes. At Lexington were seen the cracked and tottering walls of the Virginia Military Institute, the pride of Virginia, and the *alma mater* of many of the distinguished sons of the south, and near them appeared the blackened remains of the private residence of Governor Letcher.

Rhodes follows this with an excerpt from General Hunter's official report: ²

On the 12th I also burned the Virginia Military Institute and all the buildings connected with it. I found here a violent and

¹ Rhodes, Vol. 4, p. 496.

² O. R., Vol. 70, p. 97.



MAJOR-GENERAL DAVID HUNTER

Reproduced from *The Memorial War Book*, by Major George F. Williams, from a photograph by Brady and Gardner, Government photographers. General Hunter is here shown in the uniform of a major-general.

Facing page 258

inflammatory proclamation from John Letcher, lately Governor of Virginia, inciting the population of the country to rise and wage a guerilla warfare on my troops, and ascertaining that after having advised his fellow-citizens to this course the ex-governor had himself ignominiously taken to flight. I ordered his property to be burned under my order, published May 24, against persons practicing or abetting such unlawful and uncivilized warfare.

Rhodes might have quoted more extensively from General Hunter's report, and thereby have given a more correct impression of his purposes and standards. That which he quotes explains why Governor Letcher's house was burned at Lexington, and, as this question is ably discussed by Hoke in his book, we will a little later give the reader that author's conclusions; but first we shall pursue the subject of Lexington and the Virginia Military Institute and cite a few statements from Hunter's official report, which indicate that, with the exception of the houses named, what he destroyed was of military value.

In his report of August 8, 1864, General Hunter says:³

At Staunton I destroyed a large amount of public stores, consisting of shoes, saddles, harness, and clothing, 3 cannon and about 1,000 stand of small arms, also several extensive establishments for the manufacture of army clothing and equipments. I also had the Virginia Central Railroad entirely destroyed for several miles east and west of the town, burning all the depot buildings, shops, and warehouses belonging to the road.

Again,⁴ "In addition to the damage done to the railroad, General Duffié captured 100 prisoners, about 500 horses, and destroyed large quantities of stores and a considerable portion of Imboden's train."

And yet again:⁵ "During the night our march was continued to Salem, destroying all the bridges, contents, and depot buildings on the railroad."

Such citations as those just given show that Hunter's main intent was to destroy that which was of value to the Confed-

³ O. R., Vol. 70, p. 96.

⁴ *Ibid.*, p. 97.

⁵ *Ibid.*, p. 101.

erate Army, and it is unjust to cite the destruction he wrought in terms of the enemy, without presenting the evidence in his favor. But what he says about Lexington, which immediately precedes that which Rhodes quotes from his report, is of interest for several reasons. He says:

He [McCausland] was easily driven, however, and on the 11th took refuge in the town of Lexington, behind the North River, a tributary of the James. Generals Crook and Averell arriving about mid-day on the 11th, found the bridge across the stream burnt, and the crossing disputed by sharpshooters and artillery. The infantry division under General Sullivan, which moved on the road to the left, and which I accompanied in person, had met with no enemy thus far, but at the sound of Crook's guns moved rapidly forward and took position in front of the town. I found the enemy's sharpshooters posted among the rocks and thickets of the opposite cliffs and in some storehouses at the bridge, and also occupying the buildings of the Virginia Military Institute, which stood near the river. Their artillery was screened behind the buildings of the town, and on some heights just beyond it the whole position was completely commanded by my artillery (thirty guns). This unsoldierly and inhuman attempt of General McCausland to defend an indefensible position against an overwhelming force by screening himself behind the private dwellings of women and children, might have brought justifiable destruction upon the whole town, but as this was not rendered imperative by any military necessity, I preferred to spare private property and an unarmed population. Instead of crushing the place with my artillery, I sent General Averill with a brigade of cavalry to cross the river some distance, and fall upon the enemy's flank and rear. Before this movement was completed, the enemy perceived it and hastily retired on the road toward Buchanan. The battalion of Cadets, about 250 muskets, took part in the defense and retired by the Balcony Falls road toward Lynchburg. I was told that Colonel Smith, principal of the Institute, and commanding the Cadets, protested against the attempted defense as entirely futile, purposeless, and unnecessarily exposing the town and its helpless inhabitants to danger and destruction. In occupying this place a few prisoners were taken, 5 pieces of cannon, with numerous caissons and gun carriages, some small-arms, and a quantity of ammunition fell into our hands and were destroyed; six barges laden with commissary stores, artillery ammunition,

and six pieces of cannon were captured and destroyed on the James River canal near the town. A number of extensive iron-works in the vicinity were burned.

This paragraph is followed by the one quoted by Rhodes, beginning, "On the 12th I also burned the Virginia Military Institute and all the buildings connected with it."

Our citation above shows that at Lexington, as well as elsewhere, Hunter destroyed what was of military value, and that, although justified by the laws of war in destroying the town, he spared the people and the place. Contrast both the Union and the Confederate conduct here at Lexington with that at Chambersburg some six weeks later. Major-General D. N. Couch, commanding the few soldiers in Chambersburg at the time McCausland approached, says, as we have shown in Chapter XXI, "The enemy were held in check about two hours. My people slowly retiring through the town, being careful not to fire a shot within its limits, in order that there should be no excuse for firing buildings or committing any barbarities upon the people."

And, in spite of this care, Chambersburg was "fired quickly and in many places," by the rebels. By contrast, how fine appears the conduct of Hunter, whose acts are used as an excuse for burning Chambersburg. No wonder historians are silent as to such acts as these that are honorable to men like Hunter, and, instead, make haste to proclaim the burning of the Virginia Military Institute as a reprehensible act.

But let us investigate the true inwardness of this Institute and see whether, under the laws of war, Hunter was justified in destroying, or should have left standing, the "*alma mater* of so many of the distinguished sons of the south."

We first call attention to General Hunter's statement that "the battalion of Cadets, about 250 muskets, took part in the defense [of Lexington]." In other words, they were an armed enemy, whose purpose was to kill Union troops.

But, we will not take General Hunter's word alone on this point; we shall see what other records reveal. One of the earliest revealing records is a letter from Francis H. Smith, Major-General and Superintendent of the Virginia Military

Institute, to Governor Letcher, of date December 19, 1861. This letter says, in part: ⁶

GOVERNOR: You are aware that the Board of Visitors of this institution, in response to the public demand, and acting under the expressed wishes of the President of the Confederate States, have directed the re-opening of the school on the 1st of January next. On that day it will be re-opened with 250 cadets. In making the necessary preliminary arrangements for supplies, I find great difficulty in securing the transportation of groceries, from the fact that the Confederate Government, very properly, has the preference for its own supplies. In view of these difficulties, and of the importance of the continued operation of the Military Institute to the military defenses of our common country, I respectfully request that you will solicit from the War Department an order upon the commissary at Staunton to supply me, upon requisition, such an amount of groceries, at cost for cash, as may be required for the conduct of the school, and upon like terms as such supplies are now issued to officers. I would add that besides the general benefit which the Confederate Government is receiving from the Military Institute, there is at this time the *special one of a cartridge laboratory, with forty operatives, making some 10,000 cartridges per day, and the order which I have requested will facilitate this important branch of the Ordnance Department of the Confederate States.* [The italics are ours.]

No writer, historian or otherwise, so far as we are aware, has revealed this damning fact, that the Virginia Military Institute, almost from the first, was a munition factory, turning out 10,000 cartridges a day, to be used to destroy the defenders of the Union. We have seen, in the World War, how perpetually the opposing forces strove to destroy the munition factories and bases of their opponents. This is one of the basic principles of war—to destroy the enemy's destructive supplies. How cunning, then, has been the suppression of this fact concerning the Virginia Military Institute! It sounds so much worse to say that Hunter destroyed "the *alma mater* of so many of the distinguished sons of the south" than to say he destroyed an institution whose students were

⁶ O. R., Vol. 108, p. 424.

at that very time in arms against the Government, and which was also a munition factory.

It is not surprising, in the light of this revelation, to find in the *Itinerary of General Hunter's Command for June, 1864*:⁷

June 6. The forces under General Hunter entered Staunton without opposition, and were there joined by General Crook on the 7th or 8th. After destroying the railroads in the vicinity, supplies for the rebel army, and all the manufacturing establishments in the place, the united forces advanced on Lexington, at which place was destroyed the Military Institute, *with considerable quantities of arms and ammunition*. [The italics are ours.]

There are numerous letters and reports showing that the cadets were actually used for military purposes. For example, the Adjutant-General (Virginia), writing to Superintendent Smith, on September 4, 1863, says:⁸

GENERAL: Your reports of the 25th, 27th, and 28th ultimo have been received and laid before the Governor, by whom I am instructed to say that he highly approves your prompt and energetic action in moving with the Corps of Cadets to the support of Colonel William L. Jackson, when pressed by the enemy at a point where their success might have endangered the institute and public property in your charge, the emergency admitting of no delay for orders. To disembarass you of all doubts and difficulties which may grow out of the movements of the enemy in that portion of the State, and appreciating in its fullest force the necessity of determining, as you request, what your duty is or may be in any contingency, the Governor decides, that although general military service is not due from the Corps of Cadets to the State, yet that corps, to the extent of guarding and defending the Military Institute and other public property connected with it, being a part of the miliary establishment of the State, may and must be used for that purpose when the necessity arises; and whether the defense be necessary upon the spot, or at a distance even of fifty miles, that does not affect or impair the obligation to meet the duty as the guard of the institution.

⁷ O. R., Vol. 70, p. 7.

⁸ O. R., Vol. 108, p. 762.

This, of course, is a novel idea, to guard buildings by going fifty miles away!

General Lee's attitude on this subject is interesting. In a letter of April 25, 1864, to Major-General William H. Richardson, the Adjutant-General of Virginia, he says:⁹

Your letter of the 22nd instant, inclosing that of General Francis H. Smith, in which he proposes to tender the services of the Corps of Cadets at the Virginia Military Institute for the approaching campaign, is received. I desire to express my appreciation of the patriotic spirit that actuates General Smith in making this proposal, and my gratification at finding that it meets with your concurrence. I do not think, however, that it would be best at this time for the corps to be called to this army. It is now in a situation to render valuable aid in defending our western frontier, which may be menaced simultaneously with the general advance of the enemy in the east. It will thus prevent the necessity of detaching troops from this army [Army of Northern Virginia]. I think it would be advisable for General Smith to hold the command in readiness to co-operate with General Breckinridge and General Imboden in case of necessity, and to notify those officers of the fact. Should it at any time become necessary or expedient to have the services of the cadets with this army, it is very gratifying to me to know that they are so fully placed at my disposal.

Lee wrote this letter April 25, 1864, and a week later, May 2, General Smith, under this order from General Lee, reported to Major-General John C. Breckinridge for orders for his cadet corps; and on May 11, 1864, 6 a. m., he writes to that General:¹⁰

Your dispatch of yesterday by courier was received by me at 9 p. m. I immediately gave orders to Lieutenant-Colonel Shipp, commanding Cadets, to have his battalion in readiness to move this morning at 7 o'clock. They are now forming and will reach Bell's, sixteen miles, today and be in Staunton tomorrow. I have issued to them rations for two days, and will send with them 500 pounds of bacon and as much beef as I can find transportation for. I have sixty-four barrels of flour near Staunton. I send

⁹ O. R., Vol. 108, p. 875.

¹⁰ O. R., Vol. 70, p. 730.

100 bushels of corn for forage. The Cadets are armed with Austrian rifles and take 40 rounds of ammunition. The section of artillery will consist of 3-inch iron, rifled, and the ammunition chests of the limbers and caissons will be filled. I have ten or twelve 6-pounder brass pieces here mounted and one 12-pounder howitzer, if any should be needed. Horses have been impressed for the artillery and transportation, but the horses are slow in coming in. The artillery have orders to reach the infantry battalion tonight.

I have ordered the four companies of reserves to rendezvous here. I will arm and equip them, and hold them in readiness to move at a moment's notice. No commanding officers have been appointed to this battalion. I will direct the commander of the post of Lexington to supply rations, should they be called out. Your dispatch finds me very unwell, but I shall hope to be with you tomorrow. Lieutenant-Colonel Shipp has orders to report to you on reaching Staunton. If the reserve companies are required to move to Staunton, I will have them in readiness to move tomorrow, and shall get transportation for 6,000 pounds bacon from the commissary of Confederate States here.

This letter shows that the Superintendent of the Institute not only sent out the cadets amply supplied in muskets and artillery, to take part in "grim-visaged war," but that he was busy supplying reserve companies, too.

The cadets, ordered into action under these circumstances, took part in the battle of New Market on May 15, 1864. The report of their commanding officer, Colonel Shipp,¹¹ is interesting, and shows that these young cadets bore themselves valiantly, eight being killed and 44 wounded, but this is no part of our story.

Mrs. Margaret Junkin Preston, whose husband, Major J. T. L. Preston, was a professor in the Virginia Military Institute, kept a journal of events, and her account of Hunter's arrival in Lexington is valuable. From it we learn¹² that the houses of the professors of the Institute were not burned. Even Superintendent Smith's house was spared, though statements to the contrary are often made, and her own home was

¹¹ O. R., Vol. 70, p. 89.

¹² Preston, p. 193.

not burned, although her husband at that time was in the Confederate service.

We will return to Mrs. Preston's interesting data in another chapter, and will close our presentation of the data concerning Lexington and the Institute with the significant fact that Hamilton, in his school history, *Our Republic*, which is used in Southern schools, has a picture entitled, *Cadets of the Virginia Military Institute at the Battle of New Market, Virginia*.¹³ So, the young idea in the South, while taught that Hunter wantonly burned the Virginia Military Institute, is also taught that its cadets were in arms against this republic of ours.

It is conclusive, from the above evidence, that Early and his apologists have no basis of defense for the burning of Chambersburg in any act of General Hunter in Lexington, Virginia. Early burned a defenseless town; Hunter destroyed an institution which not only sent armed men into action against the Government, but which was, also, a munition factory.

Early several times refers to the burning of Darien, Georgia, as a justification for Chambersburg. The data concerning this affair is scant, but there is one sentence in one report which is pertinent to our discussion.

W. A. Lane, Captain Company D, Twentieth Battalion, Georgia Cavalry, in his report, June 19, 1863, says: ¹⁴ "There were no white people living in Darien; all of its former inhabitants who remain in that vicinity are on the ridge." So, the burning of Chambersburg as a retaliation for the burning of Darien, a place without white population, seems hardly justified, and that is the only town Early mentions by name.

Mr. Hoke, in his *Great Invasion*, discusses very fully the charges against Hunter, particularly the statements made by Early, Imboden, and Slingluff. We are concerned with his conclusions, which contain facts not generally made public and which are not included in the foregoing evidence: ¹⁵

These three persons whose statements have been given, while speaking of the general disregard of private property in the

¹³ P. 393.

¹⁴ O. R., Vol. 20, p. 318.

¹⁵ *The Great Invasion*, p. 596, *et seq.*

South, concur in the allegation of General Hunter's wholesale destructive propensities, and two of them specifically refer to the destruction of the properties of Andrew Hunter, A. R. Boteler, E. I. Lee, ex-Governor Letcher, J. T. Anderson, and the Virginia Military Institute. These six properties were specifically named by General Early in his order to McCausland, and upon these he based his retributive demand upon Chambersburg. The responsibility, then, for the destruction of Chambersburg, it will be seen, rests upon General Hunter. Justice to him, and to the people of the South, as well as the truth of history, demands a fair, candid, and impartial consideration of the case.

The fact of the destruction of the six properties named, as well as many others by General Hunter, in his valley campaign, has not been denied. Federal soldiers, who saw these ruins, have freely admitted them. But while these facts are conceded, General Hunter claims that he had sufficient ground for his severity in the following considerations: In no part of the South, perhaps, was the hostility to the Union so bitter and malignant as in the valley of Virginia. With but few exceptions the entire male population, capable of bearing arms, were either in the Confederate army, or the secret emissaries of such as were thus engaged. The entire valley was infested with guerillas and bushwhackers who, during the day, assumed to be farmers and tradesmen, and at night carried on the nefarious work of waylaying straggling Federal soldiers and unprotected trains. Familiar with every foot of ground in the valley, as well as with the mountain fastnesses, they stole upon their victims, and then, under the cover of the night, fled to places of safety. And as one of the evidences of the facts stated, the following account of an act of barbarity, committed by this class of men, is cited. It was published in one of the papers of Martinsburg, West Virginia, July 23, 1864, under the caption of "A Fiendish Act." "Six Union soldiers were found strapped to a fence in the vicinity of Charlestown, having their throats cut from ear to ear. The fiendish act is supposed to have been the work of resident Confederates, who are farmers and tradesmen during the day and guerillas at night. Virginia swarms with men of this class, who have, ever since the commencement of the war, pursued a course of this kind, and who have committed deeds so fiendish in their character as to put to blush the darkest and bloodiest deeds of our Indian savages. It is said that General Hunter is as mad as——about this barbarous deed, and has arrested some sixty residents of the

neighborhood in which these unfortunate men were found, and are now held in order, if possible, to ferret out the guilty parties and bring them to justice."

Compare the date of the foregoing barbarous act with the arrest and imprisonment of Mr. Andrew Hunter, and the destruction of the properties referred to in that neighborhood, and the cause which led General Hunter to adopt so severe a retributive policy will be seen. In justification of the destruction of the property of ex-Governor Letcher, it is said, whether truly or falsely I cannot say, that the form of a hand-bill was found in a printing establishment in Lexington, bearing Letcher's name, and urging the bushwhacking of Federal soldiers; and, further, that his house was occupied by concealed sharpshooters, who fired upon some of General Hunter's men. What the particular provocation was, which led to the destruction of the other properties named, has not been stated.

The three gentlemen from whom I have quoted—Early, Imboden, and Slingluff,—refer to the humane manner in which General Lee conducted his campaign in Pennsylvania in 1863, and claim that no wanton destruction of private property was made. This is freely admitted. With the exception of the railroad buildings in Chambersburg, and one or two buildings on the field of Gettysburg, no houses or barns were destroyed. Private property was taken for the use of the army, but, except in a few cases by stragglers, the regulations of seizure laid down by General Lee in general orders No. 72, and issued specially for the Pennsylvania campaign, were strictly observed. But while the comparative good conduct of the Confederates in Pennsylvania is admitted, it must also be remembered that there was no bushwhacking of them, nor depredations committed upon their trains. Suppose General Lee had found a number of his men massacred by citizens as were the six Federal soldiers near Charlestown, Virginia, and the houses of the people used for concealed sharpshooters, and his trains waylaid and robbed, would he not have adopted a different policy, and would not the laws of civilized warfare and the sentiment of the world have justified him in so doing? That a retributive policy would have been adopted, and severe retaliation visited upon the people, is clear from a paragraph in General Order, No. 49, issued by Lieutenant-General Ewell while in Chambersburg: "Citizens of the country through which the army may pass, who are not in the military service, are admonished to abstain from all acts of hostility, *upon a penalty of*

being dealt with in a summary manner." The contrast, then, is not between the conduct of General Lee in Pennsylvania, and his treatment of the people there, and that of General Hunter in the Valley of Virginia and his treatment of the people in that locality, but between the conduct of the people of Pennsylvania, and their treatment of the Confederate army, and that of the people of the valley and their treatment of the Federals. (*Italics in original.*)

The policy of the commanders of the Federal armies operating in the Shenandoah Valley had been humane and lenient, notwithstanding the evils complained of, but when General Hunter succeeded to the command in that place, he adopted a different policy. From the time he assumed command in that department he gave evidence that he had decided convictions as to how to deal with such inveterate haters of the Union. He was convinced that the mild and lenient course pursued by his predecessors had only emboldened them in their unwarranted methods, and he determined to adopt a retaliatory policy. Guerillas and bushwhackers, whose depredations had heretofore gone unpunished, were now notified that their claim to be in the regular Confederate service, under which they claimed exemption from the summary punishment inflicted upon irregular and unorganized soldiers, would no longer avail them. He accordingly issued and circulated the following circular:

HEAD-QUARTERS OF WEST VIRGINIA,—IN THE FIELD.
VALLEY OF THE Shenandoah, May 24th, 1864.

Sir—Your name has been reported to me with evidence that you are one of the leading secessionist sympathizers in the valley, and that you countenance and abet the bush-whackers and guerillas who infest the woods and mountains of this region, swooping out on the roads to plunder and outrage loyal residents, falling upon them and firing into defenseless wagon-trains and assassinating soldiers of this command, who may chance to be placed in exposed positions. These practices are not recognized by the laws of war of any civilized nation, nor are the persons engaged therein entitled to any other treatment than that done by the universal code of justice to pirates, murderers, and other outlaws.

But from the difficulties of the country, the secret aid and information given to these bush-whackers by persons of your class, and the more important occupation of the troops under my com-

mand, it is impossible to chase, arrest, and punish these marauders as they deserve. Without the countenance and help given to them by the Confederate residents of the valley, they could not support themselves for a week. You are spies upon our movements, abusing the clemency which has protected your persons and property, while loyal citizens of the United States, residing within the Confederate lines, are invariably plundered of all they may possess, imprisoned, and in some cases put to death. It is from you and your families and neighbors, that these bandits receive food, clothing, ammunition and information, and it is from their secret hiding places in your houses, barns and woods, that they issue on their missions of pillage and murder.

You are therefore hereby notified, that for every train fired upon, or soldier of the Union wounded or assassinated by bushwhackers in any neighborhood within the reach of my command, the houses and other property of every secession sympathizer residing within a circuit of five miles from the place of the outrage, shall be destroyed by fire, and that for all public property jayhawked or destroyed by these marauders, an assessment of five times the value of such property will be made upon the secession sympathizers residing within the circuit of ten miles around the point at which the offense was committed. The payment of this assessment will be enforced by the troops of this department, who will seize and hold in close military custody the persons assessed, until such payment shall have been made. This provision will also be applied to make good from the secessionists in the neighborhood five times the amount of any loss suffered by loyal citizens of the United States, from the action of the bushwhackers whom you may encourage.

If you desire to avoid the consequences herein set forth, you will notify your guerilla and bush-whacking friends to withdraw from that portion of the valley within my lines, and to join, if they desire to fight for the rebellion, the regular forces of the secession army in my front or elsewhere. You will have none but yourselves to blame for the consequences that will certainly ensue if these evils are permitted to continue. This circular is not sent to you for the reason that you have been singled out as peculiarly obnoxious, but because you are believed to furnish the readiest means of communication with the prominent secession sympathizers of your neighborhood. It will be for their benefit that you communicate to them the tenor of this circular.

D. HUNTER, *Major-General Commanding.*

In his invasion of Pennsylvania, General Lee fully appropriated to the use of his army the resources of our people, conveying away with him all he had transportation for. All was, however, taken under special instructions and by specified officers, and either paid for in such money as he had, or vouchers given. In the valley campaigns, Hunter and Sheridan did what Lee did in Pennsylvania, except paying for what they took, and in addition destroyed what they could not consume or carry away. This was done as a war measure to deplete the resources of the enemy. The Valley of Virginia had been the great store house from which supplies had been drawn for the army about Richmond, and it was deemed necessary to destroy these resources. Consequently all the grain, provender, and cattle that could not be used were destroyed, and barns, granaries, mills, and factories burned. It was an extreme measure allowable under the circumstances. The policy, however, inaugurated by Hunter, as indicated in the foregoing circular, was still a sterner resort, and could never be justified unless the provocations were actually such as he states. If citizens—persons not regularly in the Confederate service, and wearing the Confederate uniform—committed depredations upon his trains and brutally waylaid and murdered his soldiers, he was justified in resorting to the extreme measure of retaliating upon the citizens and their property, and he was as clearly within the rules of civilized warfare in so doing as was Lee in his more humane policy in Pennsylvania. The fault lies with the people who first violated the rules of war by depredations upon the soldiers. The severe punishment which followed was but the sequel of their own actions. Chambersburg, then, was burned, not so much because of General Hunter's retaliatory policy in the Valley of Virginia, but because of the barbarous violations of the laws of war by the citizens of the last named place.

From all the evidence adduced in this chapter, it is conclusive that General Early had no justification for the burning of Chambersburg because of the acts of General Hunter in the Valley. The real clue to his conduct lies in the sentence of Lee in his letter to Davis of June 29, 1864, wherein he says, "I still think it is our policy to draw the attention of the enemy to his own territory." With this idea in mind, Lee gave Early free rein in 1864, in Pennsylvania, to commit those acts which might draw the attention of the enemy to

that State, since his peace propaganda of 1863 had not succeeded in establishing pacifism in the North.

The reason for using Hunter as the scapegoat for Early's destructive propensities was deep-seated, since his name had long been anathema to the Confederates. The Confederate Government, August 21, 1862, issued the following General Orders, No. 60, which explains why Early so readily found acceptance in Confederate sight for blaming Hunter with the responsibility for his own acts:¹⁶

General Orders,
No. 60.

WAR DEPT., ADT. AND INSP. GENERAL'S
OFFICE.

RICHMOND, AUGUST 21, 1862.

I. Whereas, Major-General Hunter, recently in command of the enemy's forces on the coast of South Carolina, and Brigadier-General Phelps, a military commander of the enemy in the State of Louisiana, have organized and armed negro slaves for military service against their masters, citizens of this Confederacy; and whereas, the Government of the United States has refused to answer an inquiry whether said conduct of its officers meets its sanction, and has thus left to this Government no other means of repressing said crimes and outrages than the adoption of such measures of retaliation as shall serve to prevent their repetition; *Ordered*, That Major-General Hunter and Brigadier-General Phelps be no longer held and treated as public enemies of the Confederate States, but as outlaws, and that in the event of the capture of either of them, or that of any other commissioned officer employed in drilling, organizing, or instructing slaves with a view to their armed service in this war, he shall not be regarded as a prisoner of war, but held in close confinement for execution as a felon, at such time and place as the President shall order.

By order: S. COOPER, *Adjutant and Inspector General*.

From the above-quoted general order, it will be seen that General Hunter was a "marked man," and charges against him originating (as they all do) in Confederate sources, should be taken with a large grain of salt.

This general order has its amusing side, for, before the war was over, these same Confederates, who ordered the execu-

¹⁶ O. R., Vol. 126, p. 712.

tion as felons of men like Hunter, were preparing to arm the slaves to fight for the Confederacy, whose basic principle was the extension and perpetuity of slavery. This act, set forth in Volume 129, page 1161 of the *Official Records*, is as follows:

AN ACT TO INCREASE THE MILITARY FORCE OF THE CONFEDERATE STATES

The Congress of the Confederate States of America do enact, That, in order to provide additional forces to repel invasion, maintain the rightful possession of the Confederate States, secure their independence, and preserve their institutions, the President be, and he is hereby, authorized to ask for and accept from the owners of slaves, the services of such number of able-bodied negro men as he may deem expedient, for and during the war, to perform military service in whatever capacity he may direct.

Sec. 2. That the General-in-Chief be authorized to organize the said slaves into companies, battalions, regiments, and brigades, under such rules and regulations as the Secretary of War may prescribe, and to be commanded by such officers as the President may appoint.

Sec. 3. That while employed in the service the said troops shall receive the same rations, clothing, and compensation as are allowed to other troops in the same branch of the service.

Sec. 4. That if, under the previous sections of this act, the President shall not be able to raise a sufficient number of troops to prosecute the war successfully and maintain the sovereignty of the States and the independence of the Confederate States, then he is hereby authorized to call on each State, whenever he thinks it expedient, for her quota of 300,000 troops, in addition to those subject to military service under existing laws, or so many thereof as the President may deem necessary to be raised from such classes of the population, irrespective of color, in each State, as the proper authorities thereof may determine: *Provided*, That not more than twenty-five per cent. of the male slaves between the ages of eighteen and forty-five, in any State, shall be called for under the provisions of this act.

Sec. 5. That nothing in this act shall be construed to authorize a change in the relation which the said slaves shall bear toward

their owners, except by consent of the owners and of the States in which they may reside, and in pursuance of the laws thereof.

Approved March 13, 1865.

In closing the case for General Hunter, we will cite a letter of the War Department to him:¹⁷

WAR DEPARTMENT,
JUNE 14, 1864—10 a. m.

MAJOR-GENERAL HUNTER,
COMDG. THE ARMY OF THE SHENANDOAH, VIA BEVERLY, VA.:

This Department has received with great satisfaction your official despatch announcing the recent brilliant victory won by your army, and their occupation of the city of Staunton. These brilliant achievements wipe out the antecedent disasters to our arms in former campaigns in the Shenandoah Valley and induce strong hope that, led on by the courage and guided by the experienced skill of its commanders, the Army of the Shenandoah will rival our other gallant armies in the successful blows against the rebels. To yourself, and the brave officers and soldiers of your command, the thanks of the President and of this Department are tendered.

EDWIN M. STANTON,
Secretary of War.

¹⁷ O. R., Vol. 70, p. 103.



Your obedient servant
Bry. F. Butler.

CHAPTER XXV

GENERAL BUTLER AT NEW ORLEANS

The reader will, no doubt, recall that, in his letter of justification to Mr. Hoke, General Early refers to Sheridan and Butler as well as to Sherman and Hunter. These four commanders are the targets for most of the vilification of the Union. We have already shown how Generals Sherman and Hunter have been misrepresented by the apologists and justifiers of disunion, and, in fairness to the other two, we will briefly consider the charges against Generals Butler and Sheridan.

Early refers to "Beast Butler's performance in New Orleans." This title, "Beast," is one often used by the Confederate sympathizers;¹ and, since Early has invited our attention to Butler's performance in New Orleans, we will concentrate our attention on that city for a brief time.

May 1, 1862, found the victorious Union troops in possession of New Orleans, with General Butler in command. It is no part of our story to detail how Butler established order in that city; fed the needy, both black and white; and cleaned up the sewage and garbage evils, so that the plague of yellow fever was stayed. We are concerned only with the acts which caused the Confederates to term him "Beast."

In his autobiography, *Butler's Book*, General Butler gives a most interesting picture of the situation in New Orleans. He details the insults of every kind, all of them conspicuously performed, with which many women of New Orleans affronted the Union soldiers. These insults ranged from sneers to pouring dirty water and spitting on the defenders of the Union.

After two officers had been deluged with slops from a bal-

¹ *Scribner's Magazine* for January, 1928, in an article by Grover C. Hall, refers to General Butler as "Beast" Butler.

cony by two "ladies" of New Orleans, Butler describes the culmination of this state of things, as follows:²

On the next day, the Sabbath, one of my officers dressed himself in full uniform, took his prayer-book in his hand, and was on the way to the church to attend divine service. As he was walking quietly along he met two very well dressed and respectable looking women, and, as a gentleman should, he withdrew to the outer side of the side walk to let them pass by. As he did so, one deliberately stepped across in front of the other and spit in his face.

Now, what could he do? Anything but take his kerchief and clean his face? I never heard but one other suggestion, and this was made by one of his fellow staff, who said: "Why didn't you do something?"

"What could I do, Davis, to two women?"

"Well," said Davis, "you ought to have taken your revolver and shot the first *he* rebel you met."

After much thought, Butler evolved the famous order. He himself says that he realized "it must be an order which would execute itself, otherwise it would stir up more strife in its execution by the police than it could quell." Here is the order:³

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, MAY 15, 1862.

GENERAL ORDER No. 28.

As the officers and soldiers of the United States have been subject to repeated insults from the women (calling themselves ladies) of New Orleans, in return for the most scrupulous non-interference and courtesy on our part, it is ordered that hereafter when any female shall, by word, gesture, or movement, insult or show contempt for any officer or soldier of the United States, she shall be regarded and held liable to be treated as a woman of the town plying her avocation.

By command of MAJOR-GENERAL BUTLER,
GEO. C. STRONG, *A.A.G., Chief of Staff.*

² *Butler's Book*, p. 417.

³ *Butler's Book*, p. 418.

The Mayor of New Orleans in a letter ⁴ of May 16, 1862, to General Butler, referring to this order, says it

is of a character so extraordinary and astounding that I cannot, holding the office of Chief Magistrate of the city, chargeable with its peace and dignity, suffer it to be promulgated in our présence without protesting against the threat it contains, which has already aroused the passions of our people, and must exasperate them to a degree beyond control. Your officers and soldiers are permitted, by the terms of this order, to place any construction they may please upon the conduct of our wives and daughters, and upon such construction to offer them atrocious insults. The peace of the city and safety of your officers and soldiers from harm and insult have, I affirm, been successfully secured to an extent enabling them to move through our streets almost unnoticed, according to the understanding and agreement entered into between yourself and the city authorities. I did not, however, anticipate war upon women and children, who, so far as I am aware, have only manifested their displeasure at the occupation of their city by those whom they believe to be their enemies, and will never undertake to be responsible for the peace of New Orleans while such an edict, which infuriates our citizens, remains in force. To give a license to the officers and soldiers of your command to commit outrages such as are indicated in your order upon defenseless women is, in my judgment, a reproach to the civilization, not to say the Christianity, of the age, in whose name I make this protest.

I am, sir, your obedient servant,

JOHN T. MONROE, *Mayor*.

This manifestation on the part of the mayor of a desire, that the women of New Orleans be allowed to continue their sport of affronting Union soldiers, drew the following response from General Butler: ⁵

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW OLEANS, MAY 16, 1862.

JOHN T. MONROE:

SIR: There can be, there has been, no room for misunderstanding of General Orders, No. 28. No lady will take any notice of a

⁴ O. R., Vol. 111, p. 526.

⁵ *Ibid.*, p. 527.

strange gentleman, and *a fortiori* of stranger simply, in such form as to attract attention. Common women do. Therefore, whatever woman, lady, or mistress, gentle or simple, who by gesture, look, or word insults, shows contempt for (thus attracting to herself the notice of) my officers and soldiers, will be deemed to act as becomes her vocation as a common woman, and will be liable to be treated accordingly. This was most fully explained to you at my office. I shall not abate, as I have not abated, a single word of that order. It was well considered. If obeyed, will protect the true and modest woman from all possible insult. The others will take care of themselves. You can publish your letter if you publish this note and your apology.

Respectfully,

B. F. BUTLER.

As a result of this method of handling the situation, the women of New Orleans ceased to insult the Union soldiers. General Butler says that no arrests were ever made under this order, and tersely describes the result, thus:⁶ "All the ladies in New Orleans forebore to insult our troops because they didn't want to be deemed common women, and all the common women forebore to insult our troops because they wanted to be deemed ladies, and of those two classes were all the women secessionists of the city."

Concerning his soldiers, General Butler bears this testimony, that⁷ "from the time we landed until the time I left New Orleans, no officer or soldier did any act to interfere with life, limb, or property of any of those in New Orleans, unless acting under perfectly explicit orders to do so."

The foregoing accounts show that the only basis for calling Butler a "beast" is that he made all the women of New Orleans, whether they were ladies or not, behave as if they were. Standards differ. There are persons who consider it meritorious to behave in a ladylike manner.

But the conduct of the women of New Orleans has a deeper significance, which should not be ignored: the city of New Orleans was in control of Union troops; the populace was

⁶ *Butler's Book*, p. 419.

⁷ *Ibid.*, p. 414.

at the mercy of these men. That the women of New Orleans dared to offer affronts and insults to these Union defenders, while their conduct was in no way honorable to themselves, yet brings out the fact that they knew these Northern soldiers were men of character so high that their honor was safe with the troops, even under repeated insults. Had it been otherwise, not a woman in New Orleans would have been safe after the first affront.

All honor to Butler's men in New Orleans!

CHAPTER XXVI

DODD'S ACCUSATIONS AND THEIR REFUTATION

We have not, in the foregoing chapters, which deal with the defamation of the Union troops, endeavored to answer all defamatory misrepresentations, for that would take a lifetime of continuous work. We have selected the main targets for defamation and those defamers whose influence might have most weight for discussion in this work. In this chapter, we briefly consider the misrepresentations of the last of the most defamed Union leaders, General P. H. Sheridan, which is contained in a final summary.

On Sunday, May 2, 1920, the *Chicago Tribune* published an article by William E. Dodd, professor of American History at the University of Chicago. The article is entitled, *How the North Treated the South—A Reply to Keynes.* Professor Dodd says, in part:

At the close of the American civil war the whole state of Virginia lay prostrate, and its great granary, the Shenandoah valley, a larger region than devastated France, had undergone a destructive invasion that took from it all horses, cattle, and hogs that could be seized. Almost every barn had been burned. The mills were all destroyed. Grain that could not be taken away was burned. The people were left without food for themselves.

One only has to read Gen. Sheridan's report to the war department to learn that his own statement, that a crow that would fly over the great valley of Virginia must take its provisions with him, was true. And for many years after the close of the war it was a common boast of army officers that Sheridan had utterly laid waste the richest region of Virginia. Is there any section of Europe that could tell a worse tale?

All the way from Atlanta to middle North Carolina, a distance of 500 miles, there was a burnt over and broken area, where naked chimneys stood as mute reminders of the work of Gen. Sherman. It was a strip ranging from twenty to sixty miles in



MAJOR-GENERAL PHILIP H. SHERIDAN

From a war-time photograph of the collection of S. F. Stewart, Esq., who says, "This picture of General Sheridan must have been taken in 1862, for he is wearing a brigadier-general's coat and shoulder straps. He was promoted to major-general December 31, 1862. But the photograph may have been taken early in 1863. It reveals him as he appeared at that time. His later photographs show a very different Sheridan."

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width, the very region where the great plantations had flourished for half a century. There can be no doubt or question of the nature of the devastation and ruin that was wrought upon the south nor of the intent of the work. The Chicago Tribune itself said, if the Mississippians did not submit to the will of the north, that whole state should be converted into a frog pond.

To illustrate the genuineness of Sherman's march through North Carolina, I shall cite three or four facts from my own family's experience. My father, a boy of 16, drove the neighborhood horses into a vast and intricate swamp in eastern North Carolina and kept them there for weeks to prevent their being taken. He was successful. The swamp was unknown to the invaders, and they did not undertake to penetrate it.

At the house of my great-grandmother Johnston there was a small crop of wheat stored in the parlor. Sherman's troops took some barrels of home made molasses and emptied them into the parlor with the wheat. My great-grandfather Horne was a slave owner and had a rather pretentious home near Clayton, N. C. Sherman's troops went through every drawer and cupboard in the house, looking for valuables. They then went to the wood pile, removed the wood, and drove deep into the ground long steel spikes to see whether any valuables were buried there.

When one of the divisions of Sherman's army entered Raleigh, N. C., a native of the city made some resistance and, upon the order of Gen. Kilpatrick, he was promptly hanged to the limb of a great oak that still stands near the capitol. Many a time have the boys of the city had this oak and the deed that distinguished it pointed out to them.

These are but a few of the experiences of members of my own family. I have no reason in the world to doubt that the account of them is true.

Was the lot of the south as hard and cruel as that of France or Germany? Let a few of the facts of our own history speak. The south was devastated as effectively as the wit of man could contrive. Her total wealth in 1860 was about \$6,000,000,000. She spent \$2,000,000,000 fighting the north. She lost \$2,000,000,000 by the freeing of the slaves. She perhaps had a third as much wealth in 1865 as she had in 1860.

The federal government laid an export tax upon cotton, the only great industry the south had. It was a ten per cent tax, I believe. It required the debt contracted during the war, due to the more well to do southerners, to be repudiated. That and the

emancipation of the slaves put all classes upon an economic level. All were poor and substantially equal. Has that been done to any peoples of Europe, except by the Russian bolsheviki of their own motion?

Moreover, the south was compelled to take upon itself the payment of about one-third of the federal debt incurred in their own suppression. Germany has not yet been called on to pay the debts of France and England. Besides, the southerners were compelled to pay about a third of the cost of the pensions, most lavishly granted to union soldiers. The treaty, which Mr. Keynes thinks unprecedented for its harshness, does undertake to compel the Germans to pay some of the cost of the French pensions. But how modest is a French pension?

At the close of the American civil war the southern white people were compelled by military power to turn over their public affairs to their former slaves. Legislatures, colleges, and local governments were placed under the control of groups in each state nine-tenths of whose members knew absolutely nothing of government, of history, or even of the rudiments of education. They heaped upon the south somewhat more than a hundred millions of debts, for which there was no equivalent in goods or services of any kind rendered.

For ten years after the close of the civil war troops were maintained in the south to enforce these conditions, and the south was compelled against her will to have her electoral votes counted for her political opponents. It may indeed be doubted whether any other people of modern times has been subjected to harsher terms than were those of the south from 1865 to 1876.

From a careful consideration of the preceding chapters, the reader will be able to realize what a classic of misrepresentation is this article written by the professor of American History in one of the greatest institutions of learning in our country, and published in the "world's greatest newspaper."¹

¹The *Confederate Veteran* for April, 1927 (p. 148), contains an interesting corroboration of the extent of Confederate propaganda in our Northern universities: Mrs. St. John Alison Lawton, President-General of the United Daughters of the Confederacy, among her recommendations to that organization, says: "Fourth Point.—To continue to have representation on the Yale University Press. Not only to have this representative, but to stand behind him and uphold him in his work there in behalf of true history." An interesting situation, that the upholders of those who sought to destroy our Government keep a censor on the Yale University Press for the purpose of making the "lost cause" appear stainless!

From the orders issued by General Sherman, we know "the intent of the work," and the family evidence Professor Dodd cites as proof of the destruction wrought by Sherman really is proof refuting his own statement that "there was a burnt over area, where naked chimneys stood as mute reminders of the work of General Sherman."

There is another proof that any person who has time and an automobile at his disposal may get, and that is, to follow Sherman's route from Atlanta to the sea and up through the Carolinas, as the writer did recently. He will discover that even today, more than sixty years after Sherman's march, there are a vast number of ante-bellum houses still standing as mute reminders that Sherman did not burn the homes of these rebel people, even if he did destroy their military supplies.

The position Professor Dodd occupies in the university world, and the wide-spreading influence of the *Tribune* as a disseminator of news, gave authority to this deliberate misrepresentation of the Union soldiers (we say "deliberate," for, as a professor of history, Dr. Dodd must be presumed to have known the truth, and, indeed, the evidence he cites shows that he did); and so the data refuting these statements were presented to the *Tribune*, but, although much space had been given the Dodd article, publication was refused, with the statement: "Lack of space makes it impossible for the *Tribune* to give this manuscript the consideration it might otherwise deserve."

As the *Tribune* never published any other refutation of these statements, and as the article, *How the North Treated the South—Facts*, forms so excellent a summary refuting the present-day defamation of the loyal, we will give in its entirety what the *Tribune* refused to publish. It was prepared by S. F. Stewart, last Sergeant-Major of the 31st Ohio Veteran Volunteer Infantry. This soldier, the writer's father, served four years in the Union Army, was never absent from duty a day, and it is his "proudest boast that he fought with Thomas at Chickamauga and marched with Sherman from the mountains to the sea."

HOW THE NORTH TREATED THE SOUTH — FACTS

Since 1914 or about the time the infamous moving picture show called "The Birth of a Nation," was placed on exhibition, there has been in operation what seems to be an organized propaganda having the object, as did the picture show, of misrepresenting, belittling and defaming the officers and soldiers of the Union army who, during the civil war, carried our flag in triumph to victory, conquered the rebel armies and preserved the nation. But for the sacrifices of these men, now advanced in years, so far as they are yet living, America could not have taken the glorious part she did in the great World War, so completely won by the help of our gallant boys in 1918.

Supplementing the work begun in so dastardly a manner by the picture show, there have occasionally appeared articles written by men holding good positions, either on newspapers or in educational institutions, in which, by assumption, innuendo, or assertion, the Union soldiers are charged with having committed the greatest atrocities during the prosecution of the war. All of these are greatly exaggerated accounts of incidents or, more usually, sheer falsehood.

The most recent of these articles to come under my observation was by Professor W. E. Dodd, of the Department of American History of the University of Chicago, who was born in the South, as were most of the other such writers. The article appeared in the Chicago Tribune of Sunday, May 2, 1920.

It seems to me that corrections of these misrepresentations should be made while some of us who know their falsity are still alive, to the end that our people, particularly our young people, may not be misled into believing that the Union soldiers were bands of marauders and robbers.

Professor Dodd first refers to the devastation of the Shenandoah valley in Virginia by General Sheridan, in 1864. I would like to make it fully understood that this destruction of property was neither wanton nor malicious. It was a purely military measure, and was justified by the conditions. For years the rebel commanders had been sending their troops over the mountains, into this valley, which was very easy when they could do so without the impediment of a supply train. They would find their supplies all ready for them, and from this valley make their raids into Maryland and Pennsylvania. The advantage this gave them could hardly be overestimated, or overstated. They could, and



From an engraving by J. C. Buttre—taken long after the war

P. H. Sheridan
General

Facing page 284

did, in this way march around the flank of the Union armies and force them to retreat. It cost the Union many thousand lives to meet and repel the invaders in such cases. One of these culminated in the battle of Gettysburg, where 16,000 Union soldiers were killed, or wounded. All this was ended by Sheridan's action in rendering it impossible for the rebels to make such raids. It saved the lives of other thousands of Union soldiers and brought the war to an end much sooner than it could have been done by any other course.

To show the intent of General Sheridan in ordering this destruction of property I quote from one of his orders to General Merritt, dated November 27, 1864, as follows:²

To clear the country of these parties that are bringing destruction upon the innocent as well as their guilty supporters by their cowardly acts, you will consume and destroy all forage and subsistence, burn all barns and mills and their contents, and drive off all stock in the region the boundaries of which are above described. This order must be literally executed, bearing in mind, however, that no dwellings are to be burned, and that no personal violence be offered to the citizens.

Compare this method of conducting a war with the devastation committed by the Germans in France, where all houses, and even fruit trees, were destroyed.

General Sheridan did not, so far as I know, claim that his acts were in any sense in retaliation for the burning of Chambersburg, Pennsylvania, which he might have done. Chambersburg was burned on July 30, 1864, by order of the rebel general McCausland, at which time more than a million dollars worth of homes were burned while they were occupied by families, part of them being set on fire by the rebels without the knowledge of the people in them until the smoke and flames apprized them. Some barely escaped with their lives. The full account of this destruction of the homes of fifteen hundred people will be found in the official reports of both Union and Confederate officers, contained in Volume 37, Parts 1 and 2 [Serial Nos. 70 and 71], Records of the Union and Confederate Armies.

Professor Dodd states that "All the way from Atlanta to middle North Carolina, a distance of 500 miles, there was a burnt over

² O. R., Vol. 91, p. 679,

and broken area, where naked chimneys stood as mute reminders of the work of General Sherman. It was a strip ranging from twenty to sixty miles in width, the very region where the great plantations had flourished for half a century."

In the territory thus described, not one in a hundred of the houses that stood there at the time was burned during Sherman's march to the sea and through the Carolinas. I know whereof I speak. I was there and had every opportunity to know. I was one of the regular foragers of Sherman's army and went foraging during two days in Georgia and nearly every other day during the trip through South Carolina and North Carolina, up to Goldsboro. The very few houses that were burned were destroyed for some military reason of which I will speak later.

The professor cites, apparently as proof of his assertion that all of the houses were burned, first, that his father drove the neighborhood horses into a swamp so that the invaders did not find them; second, that Sherman's troops emptied molasses into the wheat stored in the parlor; and, third, that they went through the drawers in his grandfather's house and then drove long steel spikes into the ground from which they had removed the wood. This evidence may satisfy Professor Dodd that Sherman burned the houses, as he states, but it will not be convincing to others.

To show the exact responsibility of General Sherman, I quote from his order to his troops, dated November 9, 1864, just before starting on the march to the sea, as follows:

4. The army will forage liberally on the country during the march. To this end, each brigade commander will organize a good and sufficient foraging party, under the command of one or more discreet officers, who will gather, near the route traveled, corn or forage of any kind, meat of any kind, vegetables, corn-meal, or whatever is needed by the command, aiming at all times to keep in the wagons at least ten days' provisions for his command and three days' forage.

Soldiers must not enter the dwellings of the inhabitants, or commit any trespass; but, during a halt or camp, they may be permitted to gather turnips, potatoes, and other vegetables, and to drive in stock in sight of their camp. To regular foraging parties must be intrusted the gathering of provisions and forage, at any distance from the road traveled.

5. To corps commanders alone is intrusted the power to destroy mills, houses, cotton-gins, etc. ; and for them this general principle is laid down: In districts and neighborhoods where the army is unmolested, no destruction of such property should be permitted; but should guerrillas or bushwhackers molest our march, or should the inhabitants burn bridges, obstruct roads, or otherwise manifest local hostility, then army commanders should order and enforce a devastation more or less relentless, according to the measure of such hostility.

Ten years later, in his history, General Sherman wrote, concerning this order and another order concerning discipline, "I insist that these orders were obeyed as well as any similar orders ever were, by an army operating wholly in an enemy's country."

The professor, further, referring to the hard lot of the South, says, "The South was devastated as effectively as the wit of man could contrive." This is not true. In the many foraging trips in which I engaged, I could easily have burned a thousand houses with little or no exertion, but I burned none, and, with my abundant opportunity, I saw so few that were burned that they were hardly worth mentioning. I do not believe a single house was purposely burned that was at the time occupied by a family. If our men were fired on from a house, it was probably burned, but not always.

Professor Dodd further states, concerning the devastation of the South, that her total wealth in 1860 was \$6,000,000,000; that she spent one-third of it in fighting the North; lost another third by the freeing of the slaves; and so had but one-third of it left. And all this he blames on the North. In this he equals the young man who had been convicted of murdering his father and mother, and when asked by the judge if he had anything to say why sentence should not be pronounced on him, replied: "Why, Judge, you shouldn't be hard on a poor orphan."

The conduct of the Union soldiers and their treatment of citizens in an enemy country will compare distinctly favorably with that of the rebel troops in their own country. As a sample, and selecting one from a number of such newspaper articles published in Southern papers from time to time during the war, I copy the following from the *Savannah Republican* of October 1, 1864:

It is notorious that our own army, while falling back from Dalton, was even more dreaded by the inhabitants than was the army of Sherman. The soldiers, and even the officers, took everything that came their way, giving the excuse that if they did not, the enemy would. Subsequently, stragglers from our own army almost sacked the stores in Atlanta. Now, complaints loud and deep come up from that portion of Georgia in the neighborhood of our army, telling of outrages committed by straggling squads of cavalry, and of insults offered to the families of the best and most patriotic citizens.

Has Professor Dodd no criticism to make of these rebel soldiers who committed such outrages?

It should not be forgotten that the published articles to which I object seem to have for their principal object the upholding and justification of traitorous, unrepentant rebels, and of human slavery, and are a distinct menace to the future of our country. If they who fight for the honor and liberty of their country today, are to be abused and vilified for it next year, who would be willing to fight?

The casual reader must get the impression, from reading Professor Dodd's article, that vast indemnities had been imposed upon the seceding states by their conquerors. Nothing of the kind was done. As part of the United States, they have paid taxes, as did other parts of the Union. No special taxes were levied on them except a cotton tax for a very short time, just as some such taxes have been imposed on other products in other States. Neither were they required to assume any part of the national debt, nor did they pay a third of the pensions. Some part of the ordinary tax they paid may have been applied in payment of the debt or of pensions.

No indemnities were exacted of them, and no reparations. The Germans will have to pay probably three times as much in indemnity as the total value of the property in the seceding States at the time they tried to destroy the Union.

As a matter of fact, no conquered people were ever so generously treated by the victors as were the rebels of the civil war as soon as they laid down their arms and agreed to obey the laws. They were allowed to retain their private property, including their horses, with which to work their farms. None was prosecuted except for

murder. They have been given all the rights, privileges and opportunities of the victors. Some of the former rebels appreciated the leniency with which they were treated. Others, who write articles defaming the Union soldiers, would not be worth considering but for the fact that they secure the publication of their misrepresentations in reputable newspapers and mislead the younger generation, apparently relying on the old adage that a lie well stuck to is about as good as the truth.

The *Chicago Tribune* and *Harper's Magazine* are typical of publications which not only misrepresent the Union soldiers, but refuse redress. It is one of the rewards that patriotism meets, to be defamed and to be denied the opportunity to refute the calumny.

Of minor importance is Dr. Dodd's misstatement attributing to General Sheridan the statement "that a crow that would fly over the great valley of Virginia must take his provisions with him." This statement was made by General Grant to General Halleck in a letter, July 14, 1864, as follows: ³ "If the enemy has left Maryland, as I suppose he has, he should have upon his heels veterans, militiamen, men on horseback, and everything that can be got to follow to eat out Virginia clear and clean so far as they go, so that crows flying over it for the balance of this season will have to carry their provender with them."

Before we leave the subject of Sheridan in the Valley, "loyalty to the truth of Confederate history" demands that we call attention to certain other facts, which are best presented by quoting two letters.

On December 22, 1863, General Lee wrote to General Jubal A. Early as follows: ⁴

I telegraphed you today with reference to obtaining supplies for the army while the troops are in the valley, and now write to explain my views more fully. I wish you to avail yourself of the present opportunity to collect and bring away everything that can be made useful to the army from those regions that are open to the enemy, using for this purpose both the cavalry and infantry

³ O. R., Vol. 71, p. 301.

⁴ O. R., Vol. 49, pp. 889-890.

under your command. I hear that in the lower valley, and particularly in the country on the South Branch of the Potomac, there are a good many cattle, sheep, horses, and hogs. Besides these, there is said to be a quantity of bacon, cloth, and leather, and all these supplies are accessible to and can be used by the enemy. I desire to secure all of them that it is in our power to get, and you will use your command for the purpose of keeping back the enemy while the work is being done. You will buy from all who are willing to sell, and where you cannot buy, you must impress and give certificates to the owners. Of course you will not take what is necessary for the subsistence of the people, but leave enough for that, and secure all the rest of the articles named, and any others—such as shoes, horse-shoes, and horse-shoe nails—that you can get. While so engaged, I wish you to subsist the troops on those supplies that are most difficult of transportation, such as bacon, potatoes and other vegetables, which I hear can be had, sending back those that are easy to transport, such as cattle, particularly sheep and hogs. If you cannot get enough bacon and vegetables, you might use some of the sheep and hogs.

You will understand that these instructions have no application to those parts of the country that are accessible to our ordinary agents engaged in procuring such supplies. You will make requisition on Major Bell for such transportation as he can furnish, and also try to get additional facilities from the people. The cloth, leather, and other quartermaster's stores should be collected as fully as possible, leaving, of course, enough for the wants of our people. Horses and cattle can be driven back at once. I write to Major Bell by this mail to assist you as far as he is able.

Very respectfully, your obedient servant,

R. E. LEE, *General*.

P. S. You will give out that your movement is intended as a military one against the enemy, and, of course, will do them all the harm you can. You will use all the troops, including those of Imboden and Gilmor, that you may require.

On the same date, Lee wrote to Major H. M. Bell:

I have written to General Early to endeavor, while the troops are in the valley, to get all the supplies of cattle, horses, hogs, sheep, cloth, leather, and other quartermaster's stores from those parts of the country that are easily accessible to the enemy. I have directed him to call upon you for transportation, and desire you

to furnish all you can, and aid him in getting any more he may require from the people. I wish you to render all the assistance in your power in this work; send your agents with the army, and wherever you can buy supplies belonging to your department—particularly horses, horse-shoes, cloth, and leather—do so, but where they cannot be bought they must be taken, giving certificates to the owners. The horses should be driven back as fast as they are procured. In taking any of the articles referred to, you will instruct your agents that while nothing must be left that can be made use of by the enemy, a sufficient supply for the necessities of the people must of course remain in their hands.

Very respectfully, your obedient servant,

R. E. LEE, *General*.

P. S. These instructions only apply to those portions of the country not accessible to our ordinary agents engaged in procuring supplies.

And, in the face of irrefutable evidence, such as this, that the Confederate troops were the first to take supplies from the people of the Valley, Professor Dodd attributes all such acts to the Union troops. Verily, a cause is weak indeed when it is necessary to bolster it with misrepresentation and defamation of those opposed to it!

Due credit should be given to General Sheridan for the military destruction he wrought in the Valley of Virginia. Like Sherman's march, it was a strong contributing factor in the final overthrow of the enemies of our country and in shortening the duration of the war. This is shown by a letter Lee wrote to Breckinridge, then Confederate Secretary of War, March 15, 1865, wherein he says: ⁵

"Had we been able to use the supplies which Sheridan has destroyed in his late expedition in maintaining our troops in the Valley in a body, if his march could not have been arrested, it would at least have been rendered comparatively harmless, and we should have been spared the mortification that has attended it."

That is General Lee's estimate of the value of Sheridan's activity in the Valley!

⁵ O. R., Vol. 97, p. 1319.

CHAPTER XXVII

THE WOMEN OF THE SOUTH

We have now and then, in quotations and otherwise, referred to the women of the South during the war, and it is worth while very briefly to call attention to a few facts.

From the beginning of the war, as we have shown in a previous chapter, the Confederates, in their public utterances, proclaimed that the Yankee soldiers were despoilers and ravaged the homes of Southern soldiers. We have already cited General Beauregard's proclamation wherein he says, "All rules of civilized warfare are abandoned; and they [the Federals] proclaim by their acts, if not on their banners, that their war-cry is beauty and booty. All that is dear to man, your honor, and that of your wives and daughters, your fortunes and your lives are involved in this momentous contest."

President Davis, August 1, 1863, in a proclamation to the Confederate soldiers, says: ¹ "You know too well, my countrymen, what they [the Union] mean by success. Their malignant rage aims at nothing less than the extermination of yourselves, your wives, and children Fellow citizens, no alternative is left you but victory or subjugation, slavery, and the utter ruin of yourselves, your families and your country."

General Lee did all he could to stir up sentiment in the Southern States by assuming atrocities on the part of Union soldiers. His General Order No. 102, issued November 26, 1863, is a fine example of his efforts. It says, in part: ² "A cruel enemy seeks to reduce our fathers and our mothers, our wives and our children, to abject slavery; to strip them of their property, and drive them from their homes."

James A. Seddon, Confederate Secretary of War, did what he could, too, to inflame the passions of the Southerners. In

¹ O. R., Vol. 128, p. 687.

² Jones' *Robert E. Lee*, p. 422.

his general report on the state of the Confederacy, November 3, 1864, he says concerning the enemy, the Union: ³ "He has incited domestic insurrection among us"; Private property is wantonly destroyed; female honor outraged," etc.

If these statements were true, if Union men were bent on enslaving Southern women and betraying their honor, then there was but one thing that Southern chivalry could do: protect its women at all costs from the invaders. Southern honor could demand nothing less, absolutely! But, a most astonishing condition presents itself: nowhere do we find that the Confederates took any precautions to protect their women, nor did the women themselves.

Let us look at a few of the orders promulgated when the Union forces were advancing into rebel territory. We shall take our citations from a late period in the war, after the Union troops had been in rebel territory for several years, so that the Confederates were well acquainted with their general habits and conduct.

After Sherman had started on his march to the sea, on November 19, 1864, six Georgia members of the Confederate Congress telegraphed from Richmond as follows: ⁴

TO THE PEOPLE OF GEORGIA:

We have had a special conference with President Davis and the Secretary of War, and are able to assure you that they have done and are still doing all that can be done to meet the emergency that presses upon you. Let every man fly to arms! Remove your negroes, horses, cattle, and provisions from Sherman's army, and burn what you cannot carry. Burn all bridges and block up the roads in his route. Assail the invader in front, flank, and rear, by night and by day. Let him have no rest.

This is a very interesting dispatch. Here we find that Secretary Seddon, who but two short weeks before was much concerned over "Female outrages," has evidently forgotten, or ignored, this special danger when he and President Davis conferred with the Georgia members of Congress. If his

³ O. R., Vol. 129, p. 770.

⁴ O. R., Vol. 92, p. 869.

charge was true, then the only conclusion is that these eight men cared more for their negroes, their horses, their cattle and their provisions than for the honor of their women. But we think more highly of Confederate chivalry than to draw such a conclusion, and prefer to think that they knew the honor of their women was safe with the honor of the Union soldiers.

This dispatch is valuable for the order it gives to burn the provisions that could not be carried. It is another proof that all the devastation wrought in the South was not done by Union troops, and that when Professor Dodd says it "was devastated as effectively as the wit of man could contrive," he should explain that part of the "wit" belonged to the Confederates; for, in connection with this very matter, General Lee, writing from Petersburg, November 19, 1864, to Jefferson Davis, says: ⁵ "All roads, bridges, provisions, &c., within Sherman's reach should be destroyed."

William Smith, Governor of Virginia, in his legislative message, December 7, 1864, cites resolutions adopted at a meeting of the governors of various States, which included the following resolution: ⁶

Resolved, that it is the true policy and obvious duty of all slave-owners timely to remove their slaves from the line of the enemy's approach, and especially those able to bear arms, and when they shall fail to do so that it should be made the duty of the proper authorities, to enforce the performance of this duty, and to give such owners all necessary assistance as far as practicable.

The next resolution is also interesting, as it is pertinent to another subject, referred to elsewhere, namely, the arming of the slaves:

Resolved that the course of the enemy in appropriating our slaves who happen to fall into their hands to purposes of war seems to justify a change of policy on our part, and whilst owners of slaves under the circumstances should freely yield them to their country, we recommend to our authorities, under proper regula-

⁵ O. R., Vol. 92, p. 869.

⁶ O. R., Vol. 129, p. 916.

tions, to appropriate such part of them to the public service as may be required.

We have cited the above quotations as typical of the desire of the Confederates to protect negroes, stock, and food from falling into the hands of the enemy. They either considered the women safe in the hands of the Union soldiers or else they were indifferent; we do not believe that Confederate men differed from Union men in the desire to have their own women protected.

It was not because the women were not present, either, for the writer has read many accounts by Southern women concerning their own conduct and that of Union troops. Most of these accounts follow the same general lines: first, the dreadfulness of Yankees—how they were feared; second, they came, and the women, after sending doubtful slaves away and hiding valuables and food, made themselves very much in evidence and were generally insulting; the Union officers, for various and sundry reasons, protected the homes of the narrators, frequently placing a guard for their security; lastly, the Union troops departed, having been completely outwitted by the Confederate women, but leaving great havoc behind, such as burning houses and towns; but no evidence is cited for this last charge. The havoc narrated always happens somewhere else, and is only heresay on the part of the narrator.

We have already shown how the women of New Orleans made themselves conspicuous, and how they were made to behave by General Butler. For the readers' enlightenment, we will quote a few other Southern women as typical:

In *Scribner's Magazine* of August, 1920, Elizabeth W. Allston Pringle, in her article, *When Sherman's Army Passed*, follows the general rule. She tells how they concealed their liquor and other valuables and sent their livestock away. Then the dreadful Union soldiers came and demanded and searched for liquor, which they did not find. Mrs. Pringle describes her own conduct as follows:

All this time I was with another party who were searching for

liquor, and I followed them into the garret. It was odd how impossible it was not to follow them and see what they did. I was told afterwards that in most places the women shut themselves up in a room while they searched the house; but, with us, we were irresistibly borne to keep up with them and watch them. . . . Whenever they asked me anything, I answered with some quick sharp speech which would intensely amuse any one but the questioner, who generally relapsed into sulky silence.

The foregoing account does not picture the Union troops as brutal, since a young girl was not afraid to follow them around and talk back "with some quick sharp speech."

Mrs. Pringle further says:

For four days the army kept passing along that road, and we heard shouts and shots and drums beating, and every moment expected another visit, but, as I said, they moved in haste, always fearing to leave the main road and be ambushed by Hampton's ubiquitous scouts.

For four days Sherman's army was busy passing Mrs. Pringle's home, and it was not burned; nor does she mention any other burnings to account for the blackened chimneys to which Dr. Dodd refers. Also, she says that the army moved rapidly and kept to the main road. Whether it was to keep away from Hampton's men or not, she unconsciously bears witness that the army was orderly.

The Confederate Veteran now and then publishes articles on this subject. We will cite but a few. In the April, 1924, issue is an article on *What Sherman Did to Fayetteville, N. C.*, which corroborates much that we have already presented in other chapters concerning the nature of the destruction Sherman wrought. The article states: "Sherman remained five days in Fayetteville for the chief purpose of destroying the Confederate arsenal."

This, as we who have lived through the World War period fully understand, was an act justifiable under all laws of war, a basic law, to destroy the enemy's source of munitions.

But the article continues further:

The arsenal, occupying over one hundred acres on Haymount, was begun by the United States Government in 1838, and was a number of years in building After the capture of the arsenal by the Confederates in 1861, many thousands of arms were made here for the Confederate army, it supplying 37,000 muskets at the beginning of the war.

No wonder Sherman destroyed it, the principal arsenal of the Confederacy!

Again, it says:

Besides the arsenal and the factories, the Fayetteville *Observer* building was burned [cited as the most influential Confederate newspaper south of Richmond], also the old bank of North Carolina, eleven large warehouses, and a number of private dwellings in and around the town

We interpolate these items from the article as proof that the destruction wrought in Fayetteville was purely military, and as an introduction to the women of Fayetteville, who are described in the following entertaining paragraphs:

Amidst the harrowing incidents of this visit of Sherman's army, there are amusing ones which show the spirit of these women of the sixties. Some of the officers, wishing to have a dinner party, borrowed (?) the dining-room of an old lady. They invited her to sit down with them. We give an account of it in her own words:

"General," I said, "aren't you going to ask a blessing?" "Well, madam, I don't know how. Will you do it for me?" So I asked a blessing and prayed a short prayer. I asked the Lord to turn their hearts away from their wickedness and make them go back to their homes and stop fighting us, and everything I was afraid to tell the Yankees, I told the Lord, and they couldn't say a word!"

Another strong-minded lady of Fayetteville showed her Puritan ancestry. As her house was being plundered by Sherman's "bummers", she stood on her front doorstep and, with true Puritan fervor read, for the benefit of her unwelcome visitors, the one hundred and ninth Psalm, wherein the Psalmist commands the

thought that the "days of the unmerciful be few" and their "names be blotted out."

In spite of the orders of destruction from headquarters [of military resources, be it remembered], a few officers in Sherman's army are gratefully remembered by the women of Fayetteville to whom they showed courtesy and protection.

The foregoing paragraphs betray how little the women of Fayetteville dreaded the Union soldiers, since many of them were remembered gratefully.

Mrs. E. M. Yerger, who lived in Jackson, Mississippi, during the war, makes the following statement in the *Confederate Veteran* of December, 1924.

One day I went to my barn and saw about ten soldiers sitting on a log, and I thought, now is the time to give them a piece of my mind; so I walked up and down in front of them, giving the Yankees the mischief. Finally, one of them said: "Lady, we are gentlemen and don't propose to say anything rude to you, but you might meet with a rough crowd, and they would be very abusive." Well, I was so astonished at their politeness that I calmed down and said no more.

Mrs. S. F. Williams of Mansfield, Louisiana, in the *Confederate Veteran* of April, 1926, writing of her wartime experiences, says:

Death alone can obliterate the memory of the long, bitter struggle when the south was arrayed against such overwhelming numbers, contending for her rights, asking nothing more; when the invading army of the North swept over our land, burning and plundering, destroying everything before them and trampling our most sacred rights under their unhallowed feet. Magnificent homes were laid in ashes, property stolen or confiscated, and scores of families stripped of everything—silver, family jewels, wearing apparel, bed-linen, blankets, in fact, everything that wicked, greedy eyes rested upon that could be carried away by the marauders. This is not a fancy sketch, and what I shall write is true, real happenings, to which the aged writer, then a slip of a girl, was an eye witness, and in most of them had a small part.

In proof of the depravity on the part of the Union soldiers as affirmed above, she narrates how the night before the battle of Fort Henry they left home, a large retinue of women, children, and negroes, and fled to Centerville, Tennessee, because their home was on the main highway likely to have stragglers from *each* army. After several weeks they returned home, and, as she says,

found that nothing had been molested. Mother's bachelor brother, who lived in Paris, Tenn., had been there taking care of the place. Some one had notified him of our absence. We were frightened out of our wits by the first Yankees we saw at close range; but we soon found that they wouldn't bite. We never for once concealed our real feelings about the war. One little incident I must mention, which happened later. It was the day we had news of the fall of Vicksburg. For two days the weather was so peculiar, almost like an eclipse of the sun, so strange and gloomy it seemed to portend something dreadful. It was not fog or mist, but the whole earth was wrapped in gloom, and continued so until we were ready to jump at the least noise. Some Federal officers whom we knew right well were coming through the lane, and our mother was so deeply distressed about Vicksburg she said: "Now, girls, if those Yankees crow over me, I am going to order them out, if they burn the house down." They seemed to understand our feeling and tried to be pleasant. As they were leaving mother told them of her threat, and they laughed heartily. One of them said: "O, we saw in your eye that it would never do."

We are glad that Mrs. Williams has told us that what she reports is not a "fancy sketch," for this is a pleasant picture she presents of the consideration with which Union officers treated Confederate women.

She refers in her article to the "daring raids of the guerrillas" in her part of the country, and describes a skirmish between Union and "rebel" cavalry in their yard, and how she tended the wounded. The fighting was continued in a neighbor's yard, and Mr. Sexton, the neighbor, she states, was murdered in cold blood, and the house ransacked, and the height of depravity was reached when the Union soldiers poured syrup over the cotton stored in one room. Mrs. Wil-

liams does not tell what Mr. Sexton did that caused him to be murdered in cold blood during a skirmish between opposing forces, when they themselves were unmolested, but, in a country where guerrilla warfare was habitual, we can suspect a man, who was not off openly fighting for the "rights of the South," as carrying on the war in a nefarious way.

She says that in the afternoon "a whole regiment of Yankees came out from Fort Donelson, armed to the teeth, to take as prisoners those wounded men who were left with us." Most of the family fled, but Mrs. Williams stayed, and, being afraid one of the officers would step on a wounded man, she says she asked him to be careful. She continues:

Drawing his sword from its scabbard, he glared at me like he would love to run me through with it, and, advancing to where I stood with my back against the wall, he stood with drawn sword in his hand while he asked me all about the fight, and seemed to think we had something to do with it. He looked so ferocious I became alarmed, and, seeing my confusion, another officer laid a hand on his arm, and said: "Come, you have asked her enough questions." I think he was a gentleman.

We ourselves think it was "cruel and unusual" treatment for the officer to draw his sword out of his scabbard before a lady; still, it might have been worse: he might have, in his wickedness, pricked her with it.

But this is not all that befell Mrs. Williams' family that day: her brother, who had "resigned his commission" in the 9th Tennessee Regiment on account of ill health, chose this moment to return home from hunting, carrying a shotgun. He was suspected of being one of the party of Confederates who had just attacked the Union troops, and he was arrested, and, so great was the brutality of the Union soldiers, that he was afterwards, as Mrs. Williams states, "liberated by them."

So great was the indignation of the Union troops, that they threatened to burn the house, according to Mrs. Williams, "but several months previous to this time, a relative of ours who was in the Federal army, had secured some kind of paper from the general at headquarters for our protection."

If the reader will re-read Mrs. Williams' charges in her opening paragraph, we think, by her testimony, she has completely vindicated the Union soldiers of every charge she makes by what she cites as an eye-witness.

We have cited Mrs. Williams quite fully, because she is typical in her presentation of charges and then not proving them by what she cites. Then, too, her statements are of recent publication, and show that by such baseless charges the Confederate sympathizers endeavor to keep old quarrels green.

We will cite one more Confederate woman, Mrs. Margaret Junkin Preston, whose husband, Colonel Preston, was professor of Latin in the Virginia Military Institute at Lexington. She was also a sister-in-law of "Stonewall" Jackson. She was in Lexington during the war, and her journal of daily events, in which she also set forth her hopes and fears for the Confederacy, has been published, in part, in her biography. In the light of the well-advertised alleged depravity of the Union soldiers, some of her entries are very entertaining.

During the latter part of May and early June of 1864, the inhabitants of Lexington, as her journal shows, were much exercised over the idea that the Yankees might invade the town. On June 3 she writes that people are busy packing up silver, etc., and she says concerning her husband: ⁷

Mr. P. is not well; has had fever every day since his return home; yet he goes out tonight, and will be in the saddle all night. He is making arrangements to have our bacon and flour hidden away, and his stock driven over the mountain. My heart sinks within me. Are we to experience what so many others have suffered? God deliver us! Let our help be in Thee!

Again, on June 7, she says: ⁸

Mr. P. is as busy as he can be, getting things at the V. M. I. moved away. The library has been carried to the College. As the Institute is Government property, they will most likely burn it; that, at all events, is what we apprehend. We have hidden our

⁷ Preston, p. 182.

⁸ *Ibid.*, p. 184.

own valuables to some extent; and Mr. P. is having his bacon hauled into the mountains.

These are interesting items, and show that all Colonel Preston's concern was "to save his bacon." Either he was indifferent to the protection of his wife, or else he knew she did not need protection.

His care to conceal food, as shown by his wife's report, as well as the habitual concealment of foodstuffs throughout the South on the approach of the Union Army, show that the Confederates were not expecting any retaliatory results, such as might have been expected from General Lee's order No. 72, to be enforced in Pennsylvania, wherein he commands, "If any person shall remove or conceal property necessary for the use of the army, or attempt to do so, the officers hereinbefore mentioned will cause such property, and all other property belonging to such person that may be required by the army, to be seized." The Union troops were not asked to enforce such harsh commands, when they were in enemy territory, as Lee issued as "working" orders to his soldiers, while promulgating peace propaganda in General Order No. 73.

On the 11th, Mrs. Preston records⁹ that the cadets had been under arms all night. So that at the time General Hunter burned the buildings of the Virginia Military Institute the cadets were under arms. "About four o'clock," says Mrs. Preston, "the head of the Yankee column came in sight. I went out and watched them approach." If the Yankee soldiers were so entirely depraved, as they are now pictured today, it was strange that she should go out and watch them.

Mrs. Preston then graphically describes how the infantry swarmed around the place in search of food. Naturally, she did not enjoy this, but notes, "I succeeded in keeping them out of the house At ten we went to bed, feeling that we had nothing between these ravagers and us but God's protecting arm"; and, her journal records that she slept undisturbed all night, but was aroused in the morning by soldiers demanding food and arms.

⁹ P. 187.

Mrs. Preston appealed for a guard, and it was sent. She was naturally concerned as to whether her house was to be burned, as had been reported; and, on inquiring about it, was told by the guard, "Not if it is private property." She further comments: "One cavalryman told me that if they all talked as I did, they would fire the entire town."

On June 14 she records: "Our guard has been very kind, and we have done everything for them as if they were our own men, because we feel that our safety rests with them." She was, however, troubled over "Stonewall" Jackson's sword, which was in her possession, the sword "that had flashed victoriously over many a battlefield, and finally concealed it in an outhouse." After they had hidden it, they told the guard that they were willing to take their oath that there was no instrument of defense in the house. He said he was perfectly satisfied, and that nobody should enter the house to search, except over him. A wounded cadet in the house was left unmolested.

Thus, it will be seen that the Prestons not only saved their bacon, but "Stonewall" Jackson's sword!

These accounts are typical—the devastation and evil wrought by Union troops was always hearsay, and happened somewhere else, and the summary usually shows, as does what we have cited about Fayetteville, that the destruction was purely military.

We will not close this discussion until we have heard from General Sherman. We know how the women of New Orleans acted. General Sherman presents a very different picture concerning the women of Savannah.¹⁰ To understand the situation fully, we will cite part of General Sherman's Special Field Order, No. 143, December 26, 1864:

1. During war, the military is superior to civil authority, and, where interests clash, the civil must give way; yet, where there is no conflict, every encouragement should be given to well-disposed and peaceful inhabitants to resume their usual pursuits. Families should be disturbed as little as possible in their residences, and tradesmen allowed the free use of their shops, tools, etc.; churches,

¹⁰ Sherman's *Memoirs*, Vol. II, p. 233 *et seq.*

schools, and all places of amusement and recreation, should be encouraged, and streets and roads made perfectly safe to persons in their pursuits.

Part of paragraph 3 reads:

3. The Mayor and City Council of Savannah will continue to exercise their functions, and will, in concert with the commanding officer of the post and the chief-quarter-master, see that the fire-companies are kept in organization, the streets cleaned and lighted, and keep up a good understanding between the citizens and soldiers. They will ascertain and report to the chief commissary of subsistence, as soon as possible, the names and number of worthy families that need assistance and support.

It is readily seen, from the above orders, which gave protection and support to the citizens of Savannah, and which show the true purpose and consideration of General Sherman, that historians, and others who seek to curry favor with Confederate sympathizers, must suppress such facts, and why they prefer to dwell on the burning of Columbia and to attribute it falsely to Sherman rather than to credit him with that which is meritorious.

As to the result of these orders, General Sherman says: ¹¹ "The great bulk of the inhabitants [he estimated them at 20,000] chose to remain in Savannah, generally behaved with propriety, and good social relations at once arose between them and the army."

The wives of the Confederate Generals G. W. Smith and A. P. Stewart presented letters from their husbands to General Sherman, asking for his protection. The brother of the Confederate General Hardee sought protection for his family, his cotton, etc., of General Sherman—the dreadful Sherman! He treated them with courteous consideration, but makes this comment:

Before I had reached Savannah, and during our stay there, the rebel officers and newspapers represented the conduct of the men of our army as simply infamous; that we respected neither age nor sex; that we burned everything we came across—barns,

¹¹ *Ibid.*, p. 234.

stables, cotton-gins, and even dwelling houses; that we ravished the women and killed the men, and perpetrated all manner of outrages on the inhabitants. Therefore it struck me as strange that Generals Hardee and Smith should commit their families to our custody, and even bespeak our personal care and attention. These officers knew well that these reports were exaggerated in the extreme, and yet tacitly assented to these false publications, to arouse the drooping energies of the people of the South.

General Sherman further describes the situation, as follows :

As the division of Major-General John W. Geary, of the Twentieth Corps, was the first to enter Savannah, that officer was appointed to command the place, or to act as a sort of governor. He very soon established a good police, maintained admirable order, and I doubt if Savannah, either before or since, has had a better government than during our stay. The guard-mountings and parades, as well as the greater reviews, became the daily resorts of the ladies, to hear the music of our excellent bands; schools were opened, and the churches every Sunday were well filled with most devout and respectful congregations; stores were re-opened, and markets for provisions, meat, wood, etc., were established, so that each family, regardless of race, color, or opinion, could procure all the necessities and even luxuries of life, provided they had money. Of course, many families were actually destitute of this, and to these were issued stores from our own stock of supplies.

Probably no city occupied by an opposing army ever received better treatment than did the city of Savannah, but it is one of the rewards of patriotism that knowledge of such humane treatment is suppressed and false accusations are broadcasted in order to justify treason. But the acts of the Confederates themselves, in seeking safety for their property only, is the finest tribute to the honor of the Union soldier where the women of the Confederacy were concerned.

CHAPTER XXVIII

BEHIND THE SCENES IN THE CONFEDERACY

In the present-day attempted justification of the Confederacy, the South is always pictured as a united, harmonious group, fighting simply and purely for her rights—with these “rights” generally left unnamed, or described as the right of self-government or local autonomy, the issue of slavery being ignored, or denied; but we have shown, in our earlier chapters, how false this attitude is, since slavery, its extension, and the right to take slaves, against the will of free States, into free State territory, thus violating the right of free States to exclude slavery from their territory, was the basic principle involved in secession. In fact, these self-styled champions of the doctrine of State Rights, in their very determination to violate the rights of Northern States to decide the question of slavery for themselves, prove how little the theory of State Rights meant to them, and the amazing fact dawns upon the mind that the Northern States, in their determination to keep their soil free, were the real exponents of the doctrine of State Rights.

The Confederates have constantly asserted that the Constitution was violated when they—and, of course, their slaves—were not protected in free territory. Now, any one may read for himself that the Constitution protected only *fugitive* slaves in free territory. A master traveling with his slaves in free States, where State law prohibited slavery, was violating the rights of those States, and nowhere does the Constitution protect such slaves. In Chapter III we have shown that this was a right insisted upon by the seceding States as a condition of staying in, or returning to, the Union, “the right of transit through free States with slave property,” and this, in the face of the fact that they pretended, as

revealed in Toombs' speech in Congress, that the State shall have the right to prohibit, protect, or abolish slavery within its limits.

So, it must be remembered that the extension of slavery and the right to take slaves into free territory was the real contention of the South; but, to gloss over this fact and to gain popular consent, the term State Rights was invented, since the issue of slavery—involving, as we are told by Southerners, only fifteen per cent of the white population—would not be a sufficient motive to induce the non-slaveholders, forming eighty-five per cent of the South, to take arms against the Union and for the Confederacy.

Our earlier chapters concerned themselves with the real and assigned reasons for secession. We now purpose briefly to show just how this succeeded with the Confederacy. It was inevitable, with so false a start, that dissension should arise. The published records of the Confederacy show that, while the Union troops were drawing the net of victory steadily, closer and closer, around the rebels, there were constant processes of disintegration going on within, which must have led to disunion among themselves, even if the Union had not been victorious.

It is worth while to note what these processes were, so that when we later read of acts by which our Government and some of its distinguished men honor this Confederacy, we may know exactly what it was that our Government now distinguishes with honors never paid to defenders of the Union. It is one of the truths by knowing which we may free ourselves from dishonor and give honor to whom honor is due.

First among the disintegrating processes was that which led to the elevation of so unsuitable a man as Jefferson Davis to the head of the Confederacy. This is acknowledged by the substitution of Robert E. Lee as the apotheosis of all that was glorious in the Confederacy—by the Confederates themselves. For contrasts and comparisons, Lee's name is used when the proper comparison would demand the name of Davis. Thus, we find the names of Lincoln and Lee constantly associated both in the North and the South, when

the proper contrast is Lincoln with Davis and Grant with Lee. But President Davis is generally eliminated, except when acknowledging him as President of the Confederacy is used as a recognition of the Confederacy itself as a separate Government.

Other destructive forces at work within the Confederacy were the numbers of desertions in the army; the conscription and impressment laws; Confederate pillaging of its own people, and, lastly, the continual and grim war waged between the Confederate Government and the Governors of States over State Rights!

That we may understand fully why these things developed in and undermined the Confederacy, before we give attention to these separate topics, we must remind ourselves of the situation at the time the secession movement started, and this is best shown by a speech of Alexander H. Stephens, who became Vice-President of the Confederacy. We will cite this speech and will also show how little of popular authority there was in the secession acts, although Rhodes says,¹ "In its public manifestations, secession had all the marks of a popular movement."

Alexander H. Stephens was opposed to secession, and in January, 1861, he made a speech before the Georgia Secession Convention, which is probably the best summary of conditions just before the formation of the Confederacy that can be found. His was an acute mind, and he understood the danger and folly of an attempt at secession just as well before as he did after the war. This speech is not mentioned by those historians and writers who seek to justify the South by stating that they were fighting for a "principle." In that speech Stephens said:²

SPEECH OF ALEX. H. STEPHENS

This step (of secession) once taken can never be recalled; and all the baleful and withering consequences that must follow, will rest on the convention for all coming time. When we and our posterity shall see our lovely South desolated by the demon of

¹ Rhodes, Vol. III, p. 160.

² *American Politics*, p. 116.

war, *which this act of yours will inevitably invite and call forth*; when our green fields of waving harvest shall be trodden down by the murderous soldiery and fiery car of war sweeping over our land; our temples of justice laid in ashes; all the horrors and desolations of war upon us; *who but this Convention will be held responsible for it?* and who but him who shall have given his vote for this unwise and ill-timed measure, as I honestly think and believe, *shall be held to strict account for this suicidal act by the present generation, and probably cursed and execrated by posterity for all coming time*, for the wide and desolating ruin that will inevitably follow this act you now propose to perpetrate? Pause, I entreat you, and consider for a moment what reasons you can give that will even satisfy yourselves in calmer moments—what reason can you give to your fellow sufferers in the calamity that it will bring upon us. *What reasons can you give to the nations of the earth to justify it?* They will be the calm and deliberate judges in the case; and what cause or one overt act can you name or point, on which to rest the plea of justification? *What right has the North assailed?* What interest of the South has been invaded? What justice has been denied? and what claim founded in justice and right has been withheld? Can either of you to-day name one governmental act of wrong, deliberately and purposely done by the government of Washington, of which the South has a right to complain? I challenge the answer. While on the other hand, let me show the facts (and believe me, gentlemen, I am not here the advocate of the North; but I am here the friend, the firm friend, and lover of the South and her institutions, and for this reason I speak thus plainly and faithfully for yours, mine, and every other man's interest, the words of truth and soberness), of which I wish you to judge, and I will only state facts which are clear and undeniable, and which now stand as records authentic in the history of our country. When we of the South demanded the slave-trade, or the importation of Africans for the cultivation of our lands, did they not yield the right for twenty years? When we asked a three-fifths representation in Congress for our slaves, was it not granted? When we asked and demanded the return of any fugitive from justice, or the recovery of those persons owing labor or allegiance, was it not incorporated in the Constitution, and again ratified and strengthened by the Fugitive Slave Law of 1850? But do you reply that in many instances they have violated this compact, and have not been faithful to their engagements? As individual and

local communities, they may have done so ; but not by the sanction of Government ; for that has always been true to Southern interests. Again, gentlemen, look at another act : when we have asked that more territory should be added, that we might spread the institution of slavery, have they not yielded to our demands in giving us Louisiana, Florida and Texas, out of which four states have been carved, and ample territory for four more to be added in due time, if you by this unwise and impolitic act do not destroy this hope, and perhaps, by it lose all, and have your last slave wrenched from you by stern military rule, as South America and Mexico were ; *or by the vindictive decree of a universal emancipation, which may reasonably be expected to follow?*

But, again, gentlemen, what have we to gain by this proposed change of our relation to the General Government? We have always had the control of it, and can yet, if we remain in it, and are as united as we have been. We have had a majority of the Presidents chosen from the South ; as well as the control and management of most of those chosen from the North. We have had sixty years of Southern Presidents to their twenty-four, thus controlling the Executive department. So of the Judges of the Supreme Court, we have had eighteen from the South, and but eleven from the North ; although nearly four-fifths of the judicial business has arisen in the Free States, yet a majority of the Court has always been from the South. This we have required so as to guard against any interpretation of the Constitution unfavorable to us. In like manner we have been equally watchful to guard our interests in the legislative branch of Government. In choosing the presiding Presidents (*pro tem*) of the Senate, we have had twenty-four to their eleven. Speakers of the House we have had twenty-three, and they twelve. While the majority of the Representatives, from their greater population, have always been from the North, yet we have so generally secured the Speaker, because he, to a great extent, shapes and controls the legislation of the country. Nor have we had less control in every other department of the General Government. Attorney-Generals we have had fourteen, while the North have had but five. Foreign ministers we have had eighty-six, and they but fifty-four. While three-fourths of the business which demands diplomatic agents abroad is clearly from the Free States, from their greater commercial interest, yet we have had the principal embassies so as to secure the world-markets for our cotton, tobacco, and sugar on the best possible terms. We have had a vast majority of the

higher offices of both army and navy, while a larger proportion of the soldiers and sailors were drawn from the North. Equally so of Clerks, Auditors, and Comptrollers filling the executive department, the records show for the last fifty years that of the three thousand thus employed, we have had more than two-thirds of the same, while we have but one-third of the white population of the Republic.

Again, look at another item, and one, be assured, in which we have a great and vital interest; it is that of revenue, or means of supporting Government. From official documents, we learn that a fraction over three-fourths of the revenue collected for the support of the Government has uniformly been raised from the North.

Pause now while you can, gentlemen, and contemplate carefully and candidly these important items. Look at another necessary branch of Government, and learn from stern statistical facts how matters stand in that department. I mean the mail and Post-Office privileges that we now enjoy under the General Government as it has been for years past. The expense for the transportation of the mail in the Free States was, by the report of the Post-master-General for the year 1860 a little over \$13,000,000, while the income was \$19,000,000. But in the Slave States the transportation of the mail was \$14,716,000, while the revenue from the same was \$8,001,026, leaving a deficit of \$6,704,974, to be supplied by the North for our accommodation, and without it we must have been entirely cut off from this most essential branch of Government.

Leaving out of view, for the present, the countless millions of dollars you must expend in a war with the North; with tens of thousands of your sons and brothers slain in battle, and offered up as sacrifices upon the altar of your ambition—and for what, we ask again? Is it for the overthrow of the American Government, established by our common ancestry, cemented and built up by their sweat and blood, and founded on the broad principles of *Right, Justice and Humanity*? And, as such, I must declare here, as I have often done before, and which has been repeated by the greatest and wisest of statesmen and patriots in this and other lands, that it is the best and freest Government—the most equal in its rights, the most just in its decisions, the most lenient in its measures, and the most aspiring in its principles to elevate the race of men, that the sun of heaven ever shone upon. Now, for you to attempt to overthrow such a government as this, under

which we have lived for more than three-quarters of a century—in which we have gained our wealth, our standing as a nation, our domestic safety while the elements of peril are around us, with peace and tranquility accompanied with unbounded prosperity and rights unassailed—is the height of *madness, folly, and wickedness*, to which I can neither lend my sanction nor my vote.³ [*Italics in original.*]

Thus spake Alexander H. Stephens in one of the finest tributes ever paid to our Government. In spite of these facts, which proved that the South had no grievance—and, indeed, we have already shown that it was the Northern free States whose rights were violated—the various Southern States seceded, the primal impulse being that with a Republican President about to take office, a man whom they felt they could not “control and manage,” for the first time in the history of our Government, the minority South would cease to control the majority North. Like children at play, the South said, If I cannot be *It* all the time, I will not play with you any more.

It is to these men, who lacked every element of appreciation and gratitude for the long and rich harvest they had reaped in the public domain and who sought to destroy our Government as soon as they thought they should cease to control, that a Republican President and a Republican Congress have given honors never bestowed on the loyal and the grateful.

Stephens well understood the waste and devastation of war, and, while the Confederates ever since their defeat have sought to gain sympathy for themselves because, in sowing the wind, they reaped the whirlwind, as we have said before, it was their misfortune to have the field of conflict kept mostly to their own territory, and they found that war was not a parlor game, but a grim-visaged and destroying sport.

How much there was of popular movement in this rebellion of the slave-holders in order that they might found a government whose cornerstone was slavery, as Stephens himself has aptly put it, was a very important factor in the internal

³ This speech of Alexander H. Stephens, as far as we can learn, was not referred to in any article or speech accompanying the unveiling of his statue in the Capitol at Washington, December 8, 1927.

life of the Confederacy in the four brief years of its existence. There were three steps necessary for a State to join the Confederacy; first, to secede from the Union; second, to ratify the Confederate Constitution; third, to be admitted by the Confederacy into its Government. We tabulate these three steps concerning each State in the order of their secession:

1. SOUTH CAROLINA.

Seceded by unanimous act of *Convention*, Dec. 20, 1860.⁴

One of the six States to form Confederation, Feb. 8, 1861.⁵

Ratified Constitution by *Convention*, Apr. 3, 1861.⁶

Vote on ratification:

Yes, 114; no, 16.⁷

2. MISSISSIPPI.

Seceded by act of *Convention*, Jan. 9, 1861.⁸

Vote on secession;

Yes, 84; no, 15.⁹

One of the six States to form Confederation, Feb. 8, 1861.

Ratified Constitution for *permanent* Federal Government by *Convention*, March 29, 1861.

Vote on ratification:

Yes, 78; no, 7.¹⁰

3. FLORIDA.

Seceded by act of *Convention*, Jan. 10, 1861.¹¹

Vote on secession:

Yes, 62; no, 7.¹²

Amendment that it should be ratified by a vote of the people was lost.¹³

One of the six States to form Confederation.

Ratified by unanimous vote by *Convention*, Apr. 22, 1861, but with Reservation of right to resume sovereign capacity.¹⁴

⁴ O. R., Vol. 127, p. 21.

⁵ *Ibid.*, p. 92.

⁶ *Ibid.*, p. 207.

⁷ *American Politics*, p. 88.

⁸ O. R., Vol. 127, p. 42.

⁹ *Am. Pol.*, p. 89.

¹⁰ Vol. 127, p. 193; *Am. Pol.*, p. 89.

¹¹ O. R., Vol. 127, p. 54.

¹² *Am. Pol.*, p. 89.

¹³ O. R., Vol. 127, p. 53.

¹⁴ O. R., Vol. 127, p. 230.

4. ALABAMA.

Seceded by secret session act of *Convention*, Jan. 11, 1861.¹⁵

Vote on secession:

Yes, 61; no, 39.¹⁶

Resolution to have secession ordinance ratified by direct vote of people lost; against, 53: for, 47.¹⁷

One of the six States to form Confederation.

Ratified by *Convention*, Mch. 13, 1861.¹⁸

Vote on ratification:

Yes, 87; no, 6.¹⁹

5. GEORGIA.

Seceded by act of *Convention*, Jan. 19, 1861.²⁰

Vote on Secession:

Yes, 208; no, 89.²¹

One of the six States to form Confederation.

Ratified "permanent Federal government" by *Convention*, Mch. 16, 1861.²²

Vote on ratification:

Yes, 96; no, 5.²³

6. LOUISIANA.

Seceded by act of *Convention*, Jan. 26, 1861.²⁴

Convention vote on Secession:

Yes, 113; no, 17.²⁵

Resolution to submit Secession Ordinance to vote of the people was first lost; then reconsidered and carried.

POPULAR VOTE ON SECESSION:

Yes, 20,448; no, 17,296.²⁶

Resolution to submit ratification to vote of people lost, Mch. 16.²⁷

One of the six States to form Confederation.

¹⁵ O. R., Vol. 127, p. 45.

¹⁶ *Am. Pol.*, p. 89.

¹⁷ *Am. Pol.*, p. 89.

¹⁸ O. R., Vol. 127, p. 150.

¹⁹ *Am. Pol.*, p. 90.

²⁰ O. R., Vol. 127, p. 70.

²¹ *Am. Pol.*, p. 88.

²² O. R., Vol. 127, p. 173.

²³ *Am. Pol.*, p. 89.

²⁴ O. R., Vol. 127, p. 80.

²⁵ *Am. Pol.*, p. 89.

²⁶ *Am. Pol.*, p. 89.

²⁷ *Ibid.*

Ratified by *Convention*, Mch. 21, 1861.

Vote on ratification :

Yes, 101 ; no, 7.²⁸

7. TEXAS.

Seceded by act of *Convention*, Feb., 1861, subject to popular vote, Feb. 23, 1861.

Convention vote on Secession :

Yes, 166 ; no, 7.

POPULAR VOTE ON SECESSION :

Yes, 34,794 ; no, 11,235.²⁹

Ratified by *Convention*, Mch. 23, 1861.

Yes, 68 ; no, 2.³⁰

Admitted to Confederacy by act of Congress, Mch. 2, 1861.³¹

8. VIRGINIA.

Seceded by secret session act of *Convention*, Apr. 17, 1861, subject to popular vote May 23, 1861.³²

Convention vote on Secession :³³

Yes, 88 ; no, 55.

POPULAR VOTE ON SECESSION :

Yes, 128,884 ; no, 32,134.³⁴

Ratified Constitution by *Convention*, April 17, 1861.

Offensive and defensive forces placed in control of Confederacy, Apr. 17.

Admitted by Confederate Congress, May 7, 1861.³⁵

9. ARKANSAS.

Seceded by act of *Convention*, May 6, 1861.³⁶

Convention vote on Secession :

Yes, 69 ; no, 1.³⁷

Convention Ordinance of Mch. 21, to submit secession to popular vote repealed May 7, 1861.³⁸

²⁸ *Ibid.*

²⁹ *Am. Pol.*, p. 90.

³⁰ *Am. Pol.*, p. 90.

³¹ O. R., Vol. 127, p. 120.

³² O. R., Vol. 127, p. 243.

³³ *Am. Pol.*, p. 92.

³⁴ *Ibid.*, p. 93. O. R., Vol. 127, p. 243.

³⁵ O. R., Vol. 127, p. 294.

³⁶ O. R., Vol. 127, p. 287.

³⁷ *Am. Pol.*, p. 90.

³⁸ O. R., Vol. 127, p. 294.

Ratified by *Convention*, May 10, 1861.³⁹
 Admitted into Confederacy by Congress, May 20, 1861.⁴⁰

10. TENNESSEE.

Popular vote against a convention:

No, 67,360; yes, 54,156.⁴¹

Legislature adopts secession and ratification ordinances subject to popular vote, on May 6.

POPULAR VOTE ON SECESSION; June 8, 1861:

Yes, 108,399; no, 47,233.

POPULAR VOTE ON RATIFICATION, Aug. 1, 1861:

Yes, 89,449; no, 28,417.⁴²

Admitted to Confederacy on May 17, 1861, subject to ratification.⁴³

11. NORTH CAROLINA.

Legislature passed convention bill; but stated that no Secession Ordinance would be valid without majority vote of the people, Jan. 30, 1861.

Convention rejected by popular vote, Feb. 28, 1861:

No, 47,333; yes, 46,671.

Extra session of Legislature called, May 1, passed Convention Bill again.⁴⁴

Seceded by *Convention*, May 20, 1861.⁴⁵

Ratified by *Convention*, May 20, 1861.⁴⁶

Admitted to Confederacy, subject to ratification, May 17, 1861.⁴⁷

Kentucky and Missouri, although each was admitted to the Confederacy by act of its Congress—Missouri on November 28, 1861, and Kentucky on December 10—never, by act of either legislature or regularly elected conventions, seceded from the Union.

From the foregoing tabulation, it is readily seen that in only four of the eleven seceding States was there any popular

³⁹ *Ibid.*, p. 309.

⁴⁰ *Ibid.*, p. 335.

⁴¹ *Am. Pol.*, p. 91.

⁴² O. R., Vol. 127, p. 901.

⁴³ *Ibid.*, p. 330.

⁴⁴ *Am. Pol.*, p. 90.

⁴⁵ O. R., Vol. 127, p. 335.

⁴⁶ *Ibid.*, p. 336.

⁴⁷ *Ibid.*, p. 330.

vote on secession; and, of these, only one was one of the original six which formed the Confederacy, and that State was Louisiana; and there the vote for secession was 20,448; against, 17,296.

The Confederate Constitution, with its perpetual slavery articles, and with no recognition nor mention of State Sovereignty, was not submitted to the people of Louisiana for ratification.

Texas was one of the four States to have a popular vote on secession; but she did not have any vote on ratification of the Constitution.

Virginia, as we have earlier shown, took the popular vote on May 23, 1861, with the Confederacy in full control of her offensive and defensive forces, and with Confederate troops from other States present—to make sure, at the point of the bayonet, that Virginia voted for secession. So, in this State it was a popular vote in name only.

Tennessee gave a popular vote in favor of secession, and is the only State where a popular vote for ratification was taken.

In other seceding States, ordinances and resolutions for popular expression on secession and ratification were rejected, or repealed, or ignored.

Florida is the only State to manifest any interest in “resuming her sovereign capacity” at any time; and, in ratifying the Constitution, she made a reservation concerning it. So, Florida stands alone, of all the seceding States, in protecting her “sovereignty.”

In the momentous issues of secession and ratification, of throwing off an old allegiance and assuming a new one, of the eleven seceding States, “We, the people” were given a chance to express themselves in only four, and in only one were both issues presented to them; in Virginia the popular voice was expressed at the point of the bayonet. (We have not presented data concerning the manner of getting the popular opinion in the other three States, accepting the result as the only “voice of the people” obtainable for purposes of tabulation.)

It will be seen, however, that there is no evidence to prove that "in its public manifestations secession had all the marks of a popular movement." If the conspirators had been sure of popular approval, they would have sought it eagerly.

CHAPTER XXIX

DESERTIONS IN THE CONFEDERATE ARMY

With the understanding obtained from Alexander H. Stephens' speech of January, 1861, that the South had no wrongs which needed redress; learning from the manner in which secession and ratification were confirmed that the people had had no chance to express themselves on these issues; and knowing that the Confederate Constitution upheld slavery and ignored State Sovereignty, we can better understand what happened behind the scenes.

Early in 1862, that hydra-headed disintegrating factor, desertion, raised its head in the Confederate Army. Of all the destructive forces at work behind the scenes, it was probably the worst, leading to and involved in the conscription acts, and the source of many other woes. It was always with the Confederacy after 1861, and grew day by day. It was with every army, and in every State, and even the magic power attributed to Lee was not sufficient to hold men to his command.

Desertion is another subject little discussed and more often suppressed; for, to give it its full value and weight in the decline and fall of the Confederacy, is to discredit much of the valor that is now attributed to the South, in whose name our Government has issued a coin of the United States.

A full presentation of this subject would require a volume, as the records of the Confederacy are replete with letters, orders, and discussions concerning this destructive force, and the inability to stay it. We cannot give space to a full discussion: we will cite only enough to verify our statements of its value as a disintegrating force.

As early as May 9, 1862, we find that absentees and deserters were the objects of general orders,¹ and Order No.

¹ O. R., Vol. 127, p. 1120.

43, issued June 13, 1862, contains this sentence:² "Thirty dollars will be paid for all deserters delivered to an officer, and \$15 for each deserter lodged in jail."

By this time, the conscription laws were in force, and on July 14 the conscription officers were "authorized and required to arrest deserters from the Army."³

These general orders do not give any idea of the extent of desertion: they only show that it existed. George W. Randolph, then Secretary of War, on July 17, 1862, sent the following "Confidential Circular" to the governors of the Confederate States:⁴

SIR: Our armies are so much weakened by desertions, and by the absence of officers and men without leave, that we are unable to reap the fruits of our victories and to invade the territory of the enemy. We have resorted to courts-martial and military executions, and we have ordered all officers employed in enrolling conscripts to arrest both deserters and absentees, and offered rewards for the former. In Virginia the sheriffs, constables, and jailers have also been employed by the permission of the Governor, but still the evil continues, and unless public opinion comes to our aid we shall fail to fill our ranks in time to avail ourselves of the weakness and disorganization of the enemy.

Their resources enable them to repair defeat with great rapidity, and they are more numerous now in Virginia than they were before the recent battles near Richmond.

I must therefore beg Your Excellency's aid in bringing back to our colors all deserters and absentees. If you will authorize their arrest by State officers, and bring to our assistance the powerful influence of public opinion in your State, we may yet cross the Potomac before a fresh army is raised to oppose us.

It is desirable that this cause of weakness should be concealed as much as possible from the enemy, but we cannot adopt measures to remove it without risking to some extent a disclosure of its existence.

This letter epitomizes the situation well. It also shows—which was true during the whole course of the war—that

² *Ibid.*, p. 1151.

³ O. R., Vol. 128, p. 5.

⁴ O. R., Vol. 128, p. 7.

officers as well as privates were deserters. On February 9, 1863, Adjutant and Inspector General Cooper issued an order (No. 15) the first sentence of which was:⁵

All commissioned officers of the army in the service of the Confederate States who are absent from their respective commands without sufficient authority, and from whom satisfactory reports have not been received, will be considered as no longer in service thirty days after the publication of this order, when their names will be erased from the returns of regiments and corps.

At this time General Lee, who was in command of the Army of Northern Virginia, wrote to the Secretary of War, February 11, 1863:⁶

I think it very important to increase the strength of all our armies to the maximum by the opening of the next campaign. Details of officers and men have been sent from all the brigades of this army to collect deserters and absentees. By the return of last month, forwarded to the Department today, you will perceive that our strength is not much increased by the arrival of conscripts. Only 421 are reported to have joined by enlistment and 287 to have returned from desertion, making an aggregate of 708, whereas our loss by death, discharges, and desertions amount to 1,878. Now is the time to gather all our strength and to prepare for the struggle which must take place in the next three months. I beg you to use every means in your power to fill up our ranks.

On May 13, 1863, Governor Vance of North Carolina, writing to President Davis, begins his letter thus:⁷ "I receive information from our generals in the field that desertion is alarmingly on the increase in the army, and they have called upon me to use my exertions to check it so far as I could among the troops from North Carolina."

On June 24, 1863, Colonel G. W. Lay, Acting Chief of the Bureau of Conscription, says, in a letter to Adjutant General Cooper:⁸

⁵ *Ibid.*, p. 388.

⁶ O. R., Vol. 108, p. 680.

⁷ O. R., Vol. 108, p. 709.

⁸ O. R., Vol. 128, p. 607.

The evil of desertion from the Army, with the determination to avoid and even resist future service, appears of late on the increase, and it is more difficult to deal with that the soldiers now bring with them Government arms and ammunition, banding among themselves and with evaders of conscription. The enrolling officers are sometimes shot by them and the community kept in terror. This state of things exists more or less in each of our Atlantic States especially.

The foregoing excerpts give but a brief view of the conditions prevailing in the Confederacy up to the end of June, 1863. It was a problem at that time beyond the power of either the Confederate or the State authorities to control; and this was before the simultaneous defeats to Confederate arms of Gettysburg and Vicksburg. After those two issues had been decided favorably to the Union by the valor of its soldiers, desertions in the Confederacy became almost a rout.

Lee writes to Davis, on July 27, 1863:⁹ "There are many thousand men improperly absent from this army. I have caused today an appeal to be made to them to return at once to duty." His appeal is as follows:¹⁰

GENERAL ORDERS

No. 80.

HDQRS. ARMY OF NORTHERN VIRGINIA,

JULY 26, 1863.

All officers and soldiers now absent from this army, who are able to do duty, and not detached on special service, are ordered to return immediately. The commanding general calls upon all soldiers to rejoin their respective regiments at once. To remain at home in this, the hour of our country's need, is unworthy the manhood of a Southern soldier. While you proudly boast that you belong to the Army of Northern Virginia, let it not be said that you deserted your comrades in a contest in which everything you hold dear is at stake. The commanding general appeals to the people of the States to send forth every man able to bear arms, to aid the brave soldiers who have so often beaten back our foes to strike a decisive blow for the safety and sanctity of our homes and the independence of our country.

By command of General R. E. Lee.

R. H. CHILTON.

*Assistant Adjutant and Inspector
General.*

⁹ O. R., Vol. 45, p. 1041.

¹⁰ *Ibid.*, p. 1040.

We are so accustomed, by long years of laudation of General Lee, to the assertion of devotion to him by the Army of Northern Virginia, that we naturally conclude that so impassioned a plea on his part would bring every man to the colors; but, on August 17, 1863, he writes to "His Excellency Jefferson Davis, President of the Confederate States," the following letter, which shows that his appeal fell on deaf ears, and that the personal influence of Lee was of no weight whatever when exerted against this disintegrating force in the Confederacy:¹¹

MR. PRESIDENT: The number of desertions from this army is so great, and still continues to such an extent, that unless some cessation of them can be caused, I fear success in the field will be endangered. Immediately on the publication of the amnesty, which I thought would be beneficial in its effects, many presumed on it, and absented themselves from their commands, choosing to place on it a wrong interpretation. In one corps, the desertions of North Carolinians, and, to some extent, of Virginians, has grown to be a very serious matter. The Virginians go off in many cases to join the various partisan corps in the State. General Imboden writes that there are great numbers of deserters in the valley, who conceal themselves successfully from the small squads sent to arrest them. Many cross the James River near Balcony Falls, *en route* for the south, along the mountain ridges. Night before last, 30 went from one regiment and 18 from another. Great dissatisfaction is reported among the good men of the army at the apparent impunity of deserters.

In order to remove all palliation from the offense of desertion, and as a reward to merit, I have instituted in the army a system of furloughs, which are to be granted, in the most meritorious and urgent cases, at the rate of one for every hundred men present for duty.

I would now respectfully submit to Your Excellency the opinion that all has been done which forbearance and mercy call for, and that nothing will remedy this great evil which so much endangers our cause excepting the rigid enforcement of the death penalty for future cases of conviction.

¹¹ O. R., Vol. 49, p. 649.

I have the honor to be, with great respect, Your Excellency's obedient servant,

R. E. LEE,
General.

General Lee had this problem with him always, from this time on. There is much correspondence on this subject, but we will cite only one more letter of his, in 1863, as it gives his conclusions how the evil of desertion should be handled: ¹²

HDQRS. ARMY OF NORTHERN VA., OCTOBER 30, 1863.

HON. JAMES A. SEDDON, SECRETARY OF WAR, *Richmond*:

Sir: Your telegram, directing a respite in the cases of Privates Newton and Scroggin, Forty-first Virginia Infantry, is received, and the order has been issued accordingly. At the same time I beg leave to express my serious apprehension of the consequences of a relapse into that lenient policy which our past experience has shown to be so ruinous to the army, and in the end so much more cruel to the men. Early in the war, it was found that stringent measures alone would keep the army together. After a few executions a number of men were pardoned, and the consequence was a recurrence of desertion to a most alarming extent. A return to a sterner discipline was found to be absolutely necessary, and by the executions that have taken place since the proclamation of the President, and by them only, has a stop been put to a spirit that was rapidly growing, that seized eagerly upon the slightest hope of escape from the consequences of crime, and that seriously threatened the existence of the army.

A return to the lenient system that formerly prevailed will assuredly be productive of like results in the future, and render still harsher measures necessary hereafter, if the army is to continue to exist. I fear that pardons, unless for the best of reasons, will not only make all the blood that has been shed for the maintenance of discipline useless, but will result in the painful necessity of shedding a great deal more. I hope I feel as acutely as any one the pain and sorrow that such events occasion, and I am sure that no one would more willingly dispense with them if they could be avoided, but I am convinced that the only way to prevent them is to visit the offense, when committed, with the sternest punishment, and leave the offender without hope of escape, by

¹² *Ibid.*, p. 806.

making the penalty inevitable. It must be remembered that the punishment of death for desertion is inflicted almost exclusively for the warning of others, and no one without experience can conceive how readily the slightest prospect of escape is embraced.

I have felt it my duty to bring this subject strongly to your attention, as I am satisfied that in it, more than in any other, is involved the strength and efficiency of the army and its ability to cope with the enemy. And I am further convinced that in a strict adherence to a stern discipline will be found the only means of avoiding the recurrence of these sad occasions.

Very respectfully, your obedient servant,

R. E. LEE.

We have cited this particular letter, not only to show Lee's conclusions as to how the evil of desertion should be handled, but because it contains this very enlightening sentence, that "Early in the war it was found that stringent measures alone would keep the army together."¹³

This remarkable admission is proof that, from the beginning, the seed of disintegration was present, ever developing and growing.

¹³ Horne in his *Story of Our American People*, which, we have shown, purports to be a history which can be taught everywhere in the Union, states categorically: "President Lincoln's third great problem, that of holding his people firmly to the war, presented other difficulties. *The South had no such problem.* When her high spirited people found themselves attacked in their own homes, they were fully ready to fight to the last man." (The italics are ours.)

Why should the youth of today, and the foreign-born citizens and aspirants to citizenship be deceived by such a deliberate misrepresentation of the situation, which was so acute in the South that it caused Lee to state in October, 1863, that "Early in the war it was found that stringent measures alone would keep the army together"? When Horne says, "The South had no such problem," he states the exact opposite of the truth, as we fully show.

In the note on page 344 in the following chapter, we have shown how incorrect is Horne's statement that one of Lincoln's great problems was that of holding the people firmly to the war. This is proved by the fact that there were 1,933,779 volunteers in the Union army, and only 46,347 drafted men who served. See Provost Marshal General's Report, Dec. 20, 1918, p. 377.

Nowhere does Horne present the fact that after 1861 desertion was one of the greatest problems of the Confederacy. He would lead the present-day student into believing that the South was ready to fight to the last man. How little this is true is further discussed in our next chapter on Confederate conscription.

Jefferson Davis himself, on February 3, 1864, in a message to his Congress, says, in part: ¹⁴

It can no longer be doubted that the zeal with which the people sprung to arms at the beginning of the contest has, in some parts of the Confederacy, been impaired by the long continuance and magnitude of the struggle.

While brigade after brigade of our brave soldiers who have endured the trials of the camp and battle-field are testifying their spirit and patriotism by voluntary re-enlistment for the war, discontent, disaffection, and disloyalty are manifested among those who, through the sacrifices of others, have enjoyed quiet and safety at home. Public meetings have been held, in some of which treasonable designs are masked by a pretended devotion to State Sovereignty, and in others is openly avowed. Conventions are advocated with the pretended object of redressing grievances, which, if they existed, could as well be remedied by ordinary legislative action, but with the real design of accomplishing treason under the form of law. To this end a strong suspicion is entertained that secret leagues and associations are being formed. In certain localities men of no mean position do not hesitate to avow their disloyalty and hostility to our cause, and their advocacy of peace on the terms of submission to the abolition of slavery.

These statements, showing the disaffection of large numbers of people as early as February, 1864, form a fitting introduction to Davis' further remarks on desertion. He says:

Nothing has done so much to inspirit our brave soldiers as the determination evinced by Congress to send to their aid those who have thus far lived at their ease at home while they have endured dangers, toils, and privations. When the hope of equal justice and of speedy re-inforcements shall thus have failed, disappointment and despondency will displace the buoyant fortitude which animates them now. *Desertion, already a frightful evil, will become the order of the day.* And who will arrest the deserter, when most of those at home are engaged in the common practice of setting the Government at defiance? Organized bands of deserters will patrol the country, burning, plundering, and robbing indiscriminately, and our armies, already too weak, must be still further depleted at the most imminent crisis of our cause, to

¹⁴ O. R., Vol. 129, p. 67.

keep the peace and protect the lives and property of our citizens at home. (The italics are ours.)

In this frightful picture of burning, plundering, and robbing, Davis is not discussing the "depraved" Union soldier, but the Confederate!

Agitation, pleas, commands, were of no avail: the Mordecai of desertion still sat at the gates of the Confederacy; so a general amnesty order was issued on February 11, 1865. It was even more impassioned than the one of July 26 of a previous year, as the reader may judge for himself, and concerns the whole Confederate Army:¹⁵

GENERAL ORDERS,

No. 2.

HDQRS. ARMIES OF THE CONFED. STATES,
FEBRUARY 11, 1865.

In entering upon the campaign about to open, the general-in-chief feels assured that the soldiers who have so long and so nobly borne the hardships and dangers of the war require no exhortation to respond to the calls of honor and duty.

With the liberty transmitted by their forefathers they have inherited the spirit to defend it.

The choice between war and abject submission is before them.

To such a proposal brave men, with arms in their hands, can have but one answer.

They cannot barter manhood for peace nor the right of self government for life or property.

But justice to them requires a sterner admonition to those who have abandoned their comrades in the hour of peril.

A last opportunity is afforded them to wipe out the disgrace and escape the punishment of their crimes.

By authority of the President of the Confederate States, a pardon is announced to such deserters and men improperly absent as shall return to the commands to which they belong within the shortest possible time, not exceeding twenty days from the publication of this order, at the headquarters of the department in which they may be.

Those who may be prevented by interruption of communications, may report within the time specified to the nearest enrolling officer or other officer on duty, to be forwarded as soon

¹⁵ O. R., Vol. 96, p. 1229.

as practicable, and, upon presenting a certificate from such officer showing compliance with the requirement, will receive the pardon hereby offered.

Those who have deserted to the service of the enemy, or who have deserted after having been once pardoned for the same offense, and those who shall desert or absent themselves without authority after the publication of this order, are excluded from its benefits. Nor does the offer of pardon extend to other offenses than desertion and absence without permission.

By the same authority it is also declared that no general amnesty will again be granted, and those who refuse to accept the pardon now offered, or who shall hereafter desert or absent themselves without leave, shall suffer such punishments as the courts may impose, and no application for clemency will be entertained.

Taking new resolution from the fate which our enemies intend for us, let every man devote all his energies to the common defense.

Our resources, wisely and vigorously employed, are ample, and with a brave army, sustained by a determined and united people, success with God's assistance cannot be doubtful.

The advantages of the enemy will have but little value if we do not permit them to impair our resolution. Let us then oppose constancy to adversity, fortitude to suffering, and courage to danger, with the firm assurance that He who gave freedom to our fathers will bless the efforts of their children to preserve it.

R. E. LEE,
General.

But this plea and threat also fell on deaf ears.

On February 24, 1865, in a letter to the Secretary of War, Lee says: ¹⁶

I regret to be obliged to call your attention to the alarming number of desertions that are now occurring in the army. Since the 12th instant they amount in two divisions of Hill's Corps, those of Wilcox and Heth, to about 400. There are a good many from other commands.

The next day he wrote to Adjutant General Cooper: ¹⁷

Private Huddleston's execution will be suspended, as directed.

¹⁶ O. R., Vol. 96, p. 1254.

¹⁷ *Ibid.*, p. 1258.

Have re-examined case, and he is not entitled to mercy under General Orders, No. 2. *Hundreds of men are deserting nightly*, and I cannot keep the army together unless examples are made of such cases. [The italics are ours.]

On the 28th of February, he sent to Secretary of War Breckinridge a tabulated statement of the number of desertions between the 15th and 25th of the month, in the corps of Longstreet, Early, Hill, and Anderson, totaling 1,094¹⁸; and this just after the general amnesty order and threat of punishment to future deserters, issued on February 11. On March 8, Lee reported for the previous ten days that from the same corps there had been 779 deserters.¹⁹

These are but illustrations to indicate the vast number of desertions which the Confederate Records show were taking place in the winter and spring of 1865.

On March 3, 1865, General Preston, of the Bureau of Conscription, wrote to Secretary of War Breckinridge on this important problem, and in the letter, among other things, he makes this statement:²⁰

I assume that the matter of returning deserters to the Army is one of the greatest and most pressing necessities now upon the country, the importance of which no terms can exaggerate. That there are over 100,000 deserters scattered over the Confederacy; that so common is the crime it has, in popular estimation, lost the stigma which justly pertains to it, and therefore the criminals are everywhere shielded by their families and by the sympathies of many communities. . . .

I am confident General Lee is in error in supposing the reserve force will or can cure this evil. Desertion is as common in that organization as in the Army.

Thus, the appalling truth is revealed that, shortly before the surrender, the Confederate Army had lost 100,000 men by desertion; and, as the desertions continued steadily and increasingly up to the time of the surrender at Appomattox,

¹⁸ Ibid., p. 1265.

¹⁹ Ibid., p. 1292.

²⁰ O. R., Vol. 129, p. 1119.

this 100,000 had grown enormously. Therefore, when we read that General Lee surrendered a pitiful 28,000 men, it is more pitiful than appears on the surface, for he was reduced to that number, in part by the losses in battle and by capture; but his main enemy was within his own army, and he was defeated as much from within as from without. But for these desertions, it would have taken some time longer to crush the slaveholders' rebellion.

This sinister fact of desertion is one reason why the Confederate apologists spend so much time juggling figures and making the Confederate Army appear much smaller in numbers than it really was. It is the only way to conceal this disintegrating force: to attribute the small number of troops to the small number of men available, instead of to desertions.

General Lee was in some degree able to understand, perhaps—as his command fell away from him day by day—how the Union commanders felt at the opening of the war when he and others deserted what was apparently the sinking ship of the Union. He reaped as he had sowed.

Let us, however, give credit to whom credit is due: the men of the Confederate Army who did not desert, when their comrades were falling away by hundreds, deserve a peculiar kind of credit. It requires unusual courage to stand fast when others flee. It is true that, in their steadfastness, they were seeking to destroy the best government the world had seen; but that does not take away from them the honor of a personal courage, an exhibition of valor, which is an attribute of the bravest only, and to which all men yield praise.

But what of Southern chivalry in the more than one hundred thousand deserters? We can only conclude that they either lacked that personal courage which is called valor, or else (for there is an alternative) they deemed that there was something wrong with the cause for which they were to fight, and that it did not deserve an exhibition of valor on their part.

And yet, in the light of the enormous number of desertions in the Confederate Army, is it not surprising to find that the United States Government has issued a coin as a memorial to the valor of the soldiers of the South?—which, the law says, was the inspiration of their sons and daughters and

grandsons and granddaughters in the Spanish-American and World wars, and by this act seems to put the seal of approval on desertion. It is an interesting thought.

We do not believe, however, that the soldiers from the Southern States who served in our latest wars were the descendants only of those who fell in battle, or of that handful who stood fast until the surrender. We believe that the Union sympathizers in the South and these very deserters were the sires of many of our later defenders; and we believe that while some men may have deserted through lack of valor, the vast majority were actuated by another powerful influence, which was felt from the beginning—and felt throughout the Confederacy.

This brings us back to Alexander H. Stephens' address, wherein he shows that the Southern States had no grievance, and to the fact that secession and ratification of the Confederate Constitution were not the result of popular demand.

It must have been some time before the people at large fully understood just what the Constitution did guarantee to them. They had been told that they were fighting for State Rights and—magic phrase!—State Sovereignty.

Then, when the true purport and effect of the Confederate Constitution became known, they discovered that "We, the people" had not a single right under the Confederate Constitution which the United States Constitution did not give them; that State Sovereignty was as unknown to the Confederacy as liberty to the slave, and, lastly, that the Constitution guaranteed the perpetuity and extension of slavery—an institution in which only fifteen per cent of the Confederacy were interested as slaveholders.

It gradually sank into the minds of the majority that it was a rich man's war and a poor man's fight, and that "the stainless cause" for which the Confederacy had been established was, not to give the States any greater rights, but to help the dominant and rich minority to build an ever-extending empire, wherein slavery should be the corner-stone and wherein free labor and its products must always come in competition with unpaid slave labor.

This is the reason why the Confederacy could not stay nor overcome the evil of desertion, and had to resort, before the first year was completed, to the trouble-breeding plan of conscription, which was another source of countless evils and one of the basic disintegrating forces within the Confederacy.

CHAPTER XXX

CONFEDERATE CONSCRIPTION—EXEMPTION

Like the subject of desertion, conscription—with its complication of exemptions—is a topic which would require a volume in itself to do it justice. So, too, the subject of impressments is large. We can but briefly cover these topics in this book, citing enough authorities to show the true condition in the Confederacy which resulted in these acts, and the results obtained by them.

The first general conscription act became a law on April 16, 1862. It called out all white men between the ages of 18 and 35. Concerning this law, Secretary of War Randolph, writing to President Davis, says:¹

The plan of voluntary enlistment having failed to preserve the organization, and to recruit the strength of our armies at a time when the safety of the country required both to be effected, a resort to draft or conscription was the only alternative. To all acquainted with the true condition of things there could be no ground for doubt. In a period of thirty days the terms of service of 148 regiments expired. There was good reason to believe that a large majority of the men had not re-enlisted, and of those who had re-enlisted a very large majority had entered corps which could never be assembled, or, if assembled, could not be prepared for the field in time to meet the invasion actually commenced.

This letter, written August 12, 1862, sheds a great deal of light on the inspiration which the Confederate cause gave to the rank and file. Voluntary enlistment was a failure! This is a most important admission for those who are interested in the truth of Confederate history. Within a year "the cause that rose so white and fair" had appealed so little to the people that conscription was resorted to by the leaders.

¹ O. R., Vol. 128, p. 43.

This presents a dilemma with the accustomed two horns: there was something wrong either with the cause or with the people; and since, in the Spanish-American and World wars, the South supplied many troops, the conclusion is easily drawn that the cause itself was not stainless, since it could not inspire to come to its defense those who had never been noted for lack of valor.

The first conscription law contained the section: ²

3. *Be it further enacted*, that for the enrollment of all persons comprehended within the provisions of this act, who are not already in service in the Armies of the Confederate States, it shall be lawful for the President, with the consent of the Governors of the respective States, to employ State officers, and on failure to obtain such consent, he shall employ Confederate officers, charged with the duty of making such enrollment in accordance with rules and regulations to be prescribed by him.

The enforcement of the conscript law, both when the above clause was regarded and when it was not, involved the governors of the States and the Confederate authorities in most complicated disputes, and was one of the sources of the breach between the States and the Confederate Government, which grew ever wider and wider. We wish we could give all the arguments advanced by the many able governors who were ever zealous to preserve the rights—granted to the States under the Confederate Constitution and by later acts of the Confederate Congress—against the autocratic and despotic grasp of power by Jefferson Davis and his minions; however, we can cite but few.

As early as August 22, 1862, Governor Henry T. Clark of North Carolina protested that his assent had not been asked, as Governor, in carrying out the conscription laws, and that State militia officers, not subject to Confederate enrolling officers in the execution of the law, had been commanded by the enrolling officers to perform certain acts; this, although they had done all they could, as officers subject to the Gover-

² O. R., Vol. 127, p. 1095.

nor, to aid in conscription, and had not received due credit for their help.³

On September 19, 1862, Governor Shorter of Alabama wrote to the Secretary of War, stating that his opinion had been asked⁴

as to the best mode of avoiding bloodshed in the execution of the law, with the offer that in case the State authorities could accomplish this object better than the Confederate officers your Department would furnish any force that might be required to act as a posse under the State officers. I would beg leave to call your attention to the fact that the enrollment of persons subject to conscription has not been committed (so far as Alabama is concerned) to State officers, but that this duty from the commencement has been discharged and directed solely by Confederate officers, and under these circumstances I question the policy of calling in State officers at this time merely for the purpose of enforcing it; the more especially as neither the Executive of this State nor any of that class of officers are invested with the power of enforcing other than its own laws.

The statement of Governor Shorter, that he had been consulted as to the best mode of avoiding bloodshed in the execution of the conscript law in Alabama, is one of the illuminating sidelights which betray the opposition of the people to the new Confederacy.

Governor Milton of Florida, writing to Davis on this subject on September 23, 1862, also makes several enlightening admissions in his letter. He says:⁵

You are apprised that in Florida a very large minority were opposed to secession, and in many parts of the State combinations existed to adhere to and maintain the United States Government, and even now in some portions of the State there are men who would eagerly seize any opportunity that promised success to the United States. The success of our arms has reduced very considerably the large number of Unionists. Frankness, nevertheless, requires me to say that in some instances the enforcement of the conscript act has had a most unhappy effect, and

³ O. R., Vol. 128, p. 68.

⁴ *Ibid.*, p. 87.

⁵ *Ibid.*, p. 92.

chiefly because of the order which requires invalids to be brought to the camp of instruction for examination.

In a postscript, he further says:

P.S.—Within the last four hours enrolling officers have reported to me that a greater number of men, able to perform military service, have evaded them than the number of men capable of being useful which they have enrolled, and that, moreover, those men cannot be brought into camps without force, which they will resist. Under existing circumstances a resort to force may lead to most injurious consequences.

Of all the governors who put up a stout fight for the rights of the States against Confederate encroachment, none was more valiant than Governor Joseph E. Brown of Georgia, one of the most interesting figures in the Confederacy. He was quiescent when the first conscription law was put in force; but when the second one was adopted, September 27, 1862, calling out all men between 35 and 45 years of age,⁶ he began his long, grim warfare against the Confederate control of all men in the State regardless of the needs of the State.

In his letter of October 18, 1862, to Jefferson Davis, he makes several valuable statements which we cite as pertinent to our subject, though the whole letter is interesting, as are all of his letters.⁷ He says:

At this critical period in our public affairs, when it is absolutely necessary that each State keep an organization for home protection, Congress with your sanction has extended the conscription act to embrace all between thirty-five and forty-five subject to military duty, giving you the power to suspend the act as above stated. If you refuse to exercise this power and are permitted to take all between thirty-five and forty-five as conscripts, you disband and destroy all military organization in this State and leave her people utterly powerless to protect their own families even against their own slaves. Not only so, but you deny to those between thirty-five and forty-five a privilege of electing the officers to command them, to which, under the Constitution of

⁶ O. R., Vol. 128, p. 160.

⁷ *Ibid.*, p. 128.

the Confederacy and the laws of this State, they are clearly entitled, which has been allowed to other troops from the State.

Again he says:

If more troops are needed to meet coming emergencies, call upon the State and you shall have them as volunteers much more rapidly than your enrolling officer can drag conscripts like slaves in chains to camps of instruction. . . . The question, then, is not whether you shall have Georgia's quota of troops, for they are freely offered—tendered in advance—but it is whether you shall accept them when tendered as volunteers, organized as the Constitution and laws direct, or shall, when the decision is left with you, insist on rejecting volunteers and dragging the free citizens of this State into your armies as conscripts.

No act of the Government of the United States prior to the secession of Georgia struck a blow at constitutional liberty so fell as has been stricken by the conscription acts.

By the time of the second conscription, a new governor was in office in North Carolina, Zebulon B. Vance, who was second only to Governor Brown in his determination to protect the rights of the States against national encroachment. Writing to President Davis on October 25, 1862, he discusses the situation freely, saying, among other things:⁸

The people of this state have ever been eminently conservative and jealous of their political rights. The transition from their former opinions, anterior to our troubles, to a state of revolution and war was a very sudden and extraordinary one. Prior to Lincoln's proclamation the election for delegates to our proposed convention exhibited a popular majority of upward of 30,000 against secession for existing causes. The late elections, after sixteen months of war and membership with the Confederacy, show conclusively that the original advocates of secession no longer hold the ear of our people. Without the warm and ardent support of the old Union men North Carolina could not so promptly and generously have been brought to the support of the seceding States, and without that same influence constantly and unremittingly given the present status could not be maintained forty-eight hours. . . .

⁸ O. R., Vol. 128, pp. 146-7.

The corollary to be deduced is briefly this: That the opinions and advice of the old Union leaders must be heeded with regard to the government of affairs in North Carolina or the worst consequences may ensue. I am candid with you for the cause's sake. I believe, sir, most sincerely that the conscript law could not have been executed by a man of different antecedents without outbreaks among our people; and now, with all the popularity with which I came into office, it will be exceedingly difficult for me to execute it under your recent call with all the assistance you can afford me. If, on the contrary, West Point generals, who know much less of human nature than I do of military science, are to ride rough-shod over the people, drag them from their homes, and assign them, or rather consign them, to strange regiments and strange commanders, without regard to their wishes or feelings, I shall be compelled to decline undertaking a task which must certainly fail.

These conscripts are entitled to consideration. They comprise a number of the best men in their communities, whom indispensable business, large and helpless families, property, and distress in a thousand shapes have combined to keep them at home until the last moment. In spite of all the softening I could give to the law, and all the appeals that could be made to their patriotism, much discontent has grown up, and now the waters of insubordination begin to surge more angrily than ever as the extended law goes into effect. Many openly declare they want not another conscript to leave the State until provision is made for her own defense; others say it will not leave labor sufficient to support the women and children, and therefore it must not be executed.

In answer to this straightforward presentation of Governor Vance, Jefferson Davis for once, at least, was frank. He makes the comment that "The conscript act has not been popular anywhere out of the army."⁹

These quotations from the various governors have been cited to show how the conscript act worked in the beginning. The trouble it fomented between the States and the Confederacy never decreased, but grew and grew, and where the Union sentiment had been strongest before the war, it served but as a torch to rekindle this sentiment, particularly in those who had been misled by the glitter of the magic phrase, State

⁹ *Ibid.*, p. 154.

Sovereignty. An act which could take all able-bodied men away from the State defense and make them subject to the general government, whose pretended formative principle had been State Rights, was too disillusioning.

There were localities where the Union sentiment had never died nor been entirely suppressed, in spite of "alien enemy acts," such as western North Carolina, northern Alabama, and eastern Tennessee. In this latter State, the condition is graphically described by Robert M. Barton in a letter to the Hon. Ben. Hill, a member of the Confederate Senate, on January 23, 1863. Concerning East Tennessee, he says:¹⁰

I told you they would turn their strength against whichever Government attempted to force them from their position; that if the effort was made to enforce the conscript it would ruin us and greatly damage the Confederacy; that we would get no soldiers; that it would cause a stampede to Kentucky in part and a hiding out in the caves and mountains, and in the end the destruction of our section; that where we would get one man as a recruit we would send three to Kentucky and require the withdrawal of two soldiers from the army to protect East Tennessee; that we would send 10,000 men to Kentucky to the Federal lines clamoring for assistance to recover for them their homes, from which they claim to have been driven; and that in all probability another effort would be made to invade East Tennessee. What I then predicted is now in part the history of this unhappy country. If you will require a report from the enrolling officer at Knoxville you will find that he has not added to the strength of the Army. He has not mustered into service as many men as have been taken from the ranks to hunt up conscripts and guard exposed points, the guarding of which has been rendered necessary by the excitement incident to this false move.

Major Frank Clarke, reporting concerning conscription in Louisiana to the Superintendent of Conscription, on April 28, 1864, says:¹¹ "I have received reports from some of my officers exhibiting the fact that conscription in East Louisiana has thus far proved a failure."

We could cite numerous other authorities from the Con-

¹⁰ *Ibid.*, p. 369.

¹¹ O. R., Vol. 129, p. 349.

federate records, showing how disastrous the conscription laws were; but, in spite of this testimony from the governors of the States and others, the Confederate Congress continued to pass more stringent laws concerning exemptions from conscription, and on the 17th of February, 1864, passed a further conscript law, which declared ¹² "that from and after the passage of this act all white men residents of the Confederate States between the ages of seventeen and fifty shall be in the military service of the Confederate States for the war."

How this worked out, in Georgia alone, is full of dramatic interest. Governor Brown, foreseeing that the Union troops, if not stayed, would penetrate Georgia and cut off the supplies so needed for the Confederate Army in Virginia, put up a desperate fight for troops to defend his State against the advance of the enemy. But all to no avail. In the bitter correspondence he carried on with both Davis and the Secretary of War, Seddon, both before and after the fall of Atlanta—a correspondence as intensely interesting as it is biting—he, probably better than any other person in the Confederacy, shows up the evil wrought upon the States, and in turn upon the Confederacy, by the ruthlessness of conscription. When his appeals fell on deaf ears, as a last resort for the defense of Atlanta, on July 9, 1864, he called into the service of the State the men between fifty and fifty-five and the boys between sixteen and seventeen. The necessity for this is made clear in his letter to Seddon, dated November 14, 1864, wherein he says: ¹³

But for the interruption of our militia organization, which grew out of the conscript act of February last, instead of 10,000 I could have sent nearer 30,000 to Atlanta to aid in its defense. The Legislature, unfortunately for Georgia, turned over to the President's control that part of the organized militia within the ages specified in the act of Congress, and when the hour of peril came out of all the large number embraced in the act of Congress and turned over to his control by the resolution of the Legislature, he had not a single one at the front with a musket in his hands to aid in the defense of the State. Of all the Confederate re-

¹² O. R., Vol. 126, p. 695.

¹³ O. R., Vol. 110, p. 786.

serves, to which the State was told she might safely look for defense, not a man with a musket in his hands was at the front during the whole march of the Federal Army from Dalton till its triumphant entrance into Atlanta. And if action had been delayed until the President called, as shown by the date of his call, not a man of all the reserve militia of the State would have been there. The Confederate reserves organized were not sufficiently numerous to guard the unarmed Federal prisoners in the State and I had to furnish, when their services were much needed at the front, a battalion of militia to aid them.

General Jno. S. Preston was Superintendent of Conscription. In a letter to Secretary Seddon of November 5, 1864, he describes the situation as it had been developed in the two years and a half during which conscription had been in force. His conclusions, after the conscription law of February, 1864, was adopted, without further illustrations on our part, make a fine summary of the subject.

One of the sections of the new law made it obligatory upon the conscription authorities that ¹⁴ "the execution of the enrollment acts, and all similar duties shall be performed by persons who are within the ages of eighteen and forty-five years, and who, by the report of a board of army surgeons, shall be reported as unable to perform active service in the field, but capable of performing some of the above named duties," etc.; and officers violating the above rule were subject to court-martial according to the next section. After discussing the efficiency of the old system, General Preston says: ¹⁵

Having then succeeded by the wise energy of the system in overcoming the weakness and inaptitude of the agencies employed and the grave impediments offered, this Bureau was suddenly checked in the successful work by the partial abandonment of that system and the proposed substitution therefor of the most noxious principle and the most dangerous agencies which can be applied to the creation and maintenance of armies for the public defense, for the determination of public necessity, or for the protection of personal right and the social economy. The

¹⁴ O. R., Vol. 129, p. 179.

¹⁵ O. R., Vol. 129, p. 786.

first appearance of this change was manifested by an attempt to engraft upon your system a rude and undefined—merely military—inspection. In this fitful shadow I felt the coming storm and ventured to warn you of its danger. I had seen its efforts under the former acts of Congress; but foregone conclusion hastened its culmination, and I fear that conscription in the Confederate States may be destined to become nothing more than a ferocious and ignorant military outrage of public law and personal right, devastating the country and weakening the armies. The transfer to military commanders in the field and their immediate subordinates of the power to determine the public policy, and the means of enforcing their judgment in selecting the classes for military service and driving at will the individuals of those classes into the field, is fraught with such peril to the cause of the public defense and is so repulsive to a safe public sentiment that I am appalled with apprehension for the consequences. The fearful story of military conscription under Turkish rule in Egypt may be re-enacted in the Confederate States.

Five hundred thousand men have withered from Egypt in ten years under the blight and military conscription. It is not the loss of men caused by battle and disease, but when the Pasha's press gangs are out recruiting whole villages are deserted. The men fly to the deserts to escape service, and the wives and children follow to escape the vengeance of the baffled officer whose advancement depends on the length of his muster-roll; and when this man-catcher (this military officer) returns from the pursuit the villages and fields are desolate and the deserts are white with the bleached bones of women and children.

Change names and you have military conscription in the Confederate States. In every instance in which the authority of conscription has been so transferred the service has suffered serious detriment; the industry of the country has been unduly disturbed, popular and constituted resistance has been aroused, and it has failed to bring men into the field, and the resumption of your former system has been forced upon you. In four States it was tried for eight months under the allied auspices of Generals Bragg and Johnston and the executive authorities of those States, with General Pillow and an army of 6,000 men as the agents. The failure in that case would have been ludicrous had it not been

so expensive and so disastrous to the general service. Your unremitted efforts for ten months have scarcely remedied the evils of military conscription in Tennessee, Mississippi, Alabama, and Florida.

In spite of this letter of November 5, 1864, the Confederate Congress, on March 7, 1865, abolished even the Bureau of Conscription, and the general officers commanding the reserves in each State were charged "with the duty of directing and controlling the enforcement of the laws relating to conscription, exemption, and details therein."¹⁶

Note—The manner in which Van Loon, in his history of America, published in the *Woman's Home Companion*, handles this subject of conscription in the Union and Confederate armies is a portrayal of his true worth as an historian. He says, in the February, 1927, issue (p. 90):

When President Lincoln had followed the bombardment of Fort Sumter with a proclamation for seventy-five thousand volunteers his appeal had found an eager answering among those who really felt sufficiently strongly about the issues of the war to back up their opinions with their lives. But soon this enthusiasm had waned, as such enthusiasm is apt to do. Thereupon bounties of one or two hundred dollars had been offered to all those who were willing to enlist and enterprising business men had gone to Europe and had filled whole ships with Belgian and English and Polish immigrants who entered the army as soon as they set foot on our free soil and divided their bounties with the promoters! And this profitable business had continued until the British government complained of it in such forcible terms that the Washington authorities were forced to take notice and forbade further enlistments on the part of these "contract soldiers." A few months of this sort of thing had made it clear to everyone in the North that the army of the Union could only be kept at full strength by means of conscription. A draft bill was therefore drawn up and was duly passed and every one of the States was put under the obligation of providing the federal army with a certain specified number of soldiers.

So much for the measures taken during the early months of the war. . . .

¹⁶ *Ibid.*, p. 1176.

In the above words Van Loon deliberately misleads the public into the belief that, after the first call for volunteers, enthusiasm waned, and that the Government was forced thereafter to offer bounties and enforce a draft.

There was no draft in the early months of the war. It was not until March, 1863, that a draft law was enacted by Congress, and its aim was not to fill the ranks of the Union Army, merely, there never was any trouble to do that, but it was for the purpose of equalizing the quotas by filling them in those few localities where the response to calls was backward, such as New York City.

To the first call in April, 1861, for 75,000 men, more than 90,000 responded. Under later calls, in 1861, when the quota of all the States was 611,000, more than 700,000 volunteered. Under the call of July 2, 1862, for 300,000 men, 421,000 responded. *More than 1,300,000 men had volunteered before the Union conscription law had been enacted.* (*Statistical Record*, pp. 3-5). According to the *World Almanac for 1927* (p. 882), the number of Union volunteers was 1,933,779; the number of drafted men 119,954. Of these drafted men only 46,347 served.

Concerning the necessity for universal conscription by the Confederates, to which they had to resort as early as at the end of the first year, Van Loon has not one word. He speaks of the waning of Union enthusiasm, when, in fact, it waxed greater and greater, while Confederate enthusiasm waned so rapidly that the problem, after 1861, was how to hold the Confederate Army together.

A complete refutation of these misrepresentations was supplied to the editor of the *Woman's Home Companion*, and publication was refused.

Note 2. Horne, in his *American Legion* endorsed history, also spreads this false propaganda about the draft in the North. He says (Vol. 2, p. 246): "In 1863 most of the Northern States used the 'draft', a law which compelled the enlistment of men whose names were selected by lot." This sentence, taken in connection with his previous statement, that President Lincoln's third great problem was "that of holding his people firmly to the war," gives a false idea of the patriotism which animated Union hearts, and which led almost two million men to offer their lives to our country.

If Horne felt that it was necessary to mention this draft, which, as we have stated, was used to equalize the quotas, then impartiality demands that he should have also shown that in the Confederacy the situation was such that universal conscription, calling out all the men between 18 and 35, had to be resorted to as early as April, 1862, and that later the age limit was extended, so that they "robbed both the cradle and the grave."

But, since Horne's history is endorsed by the Daughters of the Confederacy, the Sons of Confederate Veterans, and the United Confederate Veterans, we can readily understand that he must drop the rôle of impartial historian, to meet the demands of those who seek to cover the crime of treason with the counterfeit varnish of patriotism.

The exemption laws were inseparably connected with the conscription laws and were a source of continual friction and abuse. No better presentation of the effect of exemption can be cited than a letter sent to General S. Cooper, Adjutant and Inspector General, on July 25, 1863, and signed by many of the leading Confederate commanders in the Western field. We call particular attention to the names of those signing, for these show that they speak with the voice of authority:¹⁷

ARMY OF TENNESSEE,

NEAR CHATTANOOGA, TENN., JULY 25, 1863.

GENERAL S. COOPER,

Adjutant and Inspector General:

SIR: We, the undersigned officers of the Confederate Army, being deeply impressed with the belief that unless the ranks are speedily replenished our cause will be lost, and being thoroughly satisfied that there is enough of able-bodied young men out of the service to accomplish that object, would earnestly implore the President of the Confederate States to take prompt measures to recruit our wasted armies by fresh levies from home. The wisdom of the Executive must decide whether this can better be done by calling upon the respective States for enlarged quotas of troops or by assembling the Congress of the Nation so to modify the exemption provision in the conscript bill as to increase the Army without interfering materially with the great interests of the country. The whole system of exemption is based upon a false assumption. It is assumed that none of the machinery of society, necessary for its comfort and convenience in a state of peace, is to be disturbed amidst the mighty upheaval of a great revolution. Thus, for example, we find multiplied rather than diminished rural post-offices and printing presses, which add

¹⁷ O. R., Vol. 128, p. 670.

doubtless to the comfort and convenience of the people, but contribute nothing to our success in arms. In like manner there is an enormous disproportion between the absolute wants of the people and the number of "shoe-makers, blacksmiths, tanners, wagon makers, millers and their engineers, millwrights, skilled and actually employed at their regular vocation in said trades," the agents and employes of the different bureaus, departments, railroad and telegraph companies, &c.

We have been pained to notice that all those vocations are crowded which afford exemption, while the ranks of the Army are daily becoming thinner. To their lasting reproach upon their manhood, hearty vigorous young men, rather than take the field, eagerly seek fancy duty which could be performed by women or disabled soldiers.

But we especially deplore that unfortunate provision of the exemption bill which has allowed more than 150,000 soldiers to employ substitutes, and we express our honest conviction that not one in a hundred of these substitutes is now in the service. In numerous instances fraudulent papers were employed, in others diseased men were presented and accepted but to be discharged; in still more cases vicious and unprincipled substitutes were bought up but to desert at the first favorable moment.

Another heavy source of depletion to the Army cannot be passed over. The friends of timid and effeminate young men are constantly besieging the War Department, through Congressional and other agents, to get soldiers in the Army placed upon details or transferred to safe places. The aggregate loss to the Army from this cause alone is most enormous.

We do know certainly that the detailed and exempted men under forty-five exceed a quarter of a million of men; and we think that the Army can be increased a quarter of a million without more suffering and inconvenience to the country than is to be expected in such a life and death struggle as we are engaged in. Certainly there should be no choice between temporary discomfort to society and the loss of battles, territory, posts, garrisons, and even independence itself.

Certainly the sum total of misery would be less, if we even resorted to a levy en masse and thus could drive back the invader, than by allowing ourselves to be beaten in detail and our soil everywhere to be overrun. In the vain hope of saving the people at home from transient annoyances and privations we are endangering the liberties of the country.

Lastly, we would respectfully but earnestly urge prompt action. With every inch of territory lost, there is a corresponding loss of men and the resources of war. Conscripts cannot be got from the region held by the Yankees, and soldiers will desert back to their homes in possession of the enemy. Some do so from disaffection, some from weariness with the war, and some to protect their families against a brutal foe. From these combined causes the occupation of our soil weakens us in men as well as in the means to feed and clothe our troops.

Early and vigorous measures to recruit our wasted ranks may save us further loss of men and resources, and possibly the existence of the Southern Confederacy itself.

Very respectfully, your obedient servants,

H. D. Clayton, brigadier-general; Wm. B. Bate, brigadier-general, Provisional Army, C.S.; P. R. Cleburne, major-general; Jno. C. Brown, brigadier-general, Provisional Army, C.S.; M. P. Lowrey, colonel, commanding Wood's brigade; Alex. P. Stewart, major-general; L. E. Polk, brigadier-general; St. John R. Liddell, brigadier-general; J. M. Withers, major-general (signed by request); T. J. Churchill, brigadier-general; D. H. Hill, lieutenant-general; L. Polk, lieutenant-general; Z. C. Deas, brigadier-general; O. F. Strahl, colonel, commanding brigade; John C. Carter, colonel, commanding brigade; Preston Smith, brigadier-general; A. M. Manigault, brigadier-general, Provisional Army, C.S.; Braxton Bragg, general, C.S. Army.

This letter speaks for itself.

Another source of friction caused by the exemption law was the trouble aroused over the clause which gave the Governors of the States the right to decide what officials were necessary to the State and, therefore, exempt. It would hardly seem possible that so concise a law could lead to trouble, but it did. As it is more appropriately considered under the chapter on State Rights, we will consider it there briefly.

It is readily apparent that not only desertion but also the

conscription and exemption laws were powerful elements working for the decline of the Confederacy.

Then, next to these destructive forces, impressment—with its concomitant pillaging in the name of authority—completed the disintegrating work within, so far as the people in general were concerned.

CHAPTER XXXI

IMPRESSMENTS AND CONFEDERATE PILLAGING

In order to maintain the Confederate Armies, it was necessary to have a large amount of supplies, and these were obtained during the greater part of the war by impressments of food, forage, other supplies, and slave labor.

It must not be forgotten that every slave impressed into the Confederate service, for work of all kinds, was part of the military man-power of the South, though never counted in the military statistics of the Army. The proportion of slaves impressed varied, being in some cases as high as one out of five slaves of the owner, and the work they did was of immense value to the Confederacy. The Act of February 28, 1865, regulating the employment of free and of slave labor, gives some idea of the scope of their service. It says that they "shall be held liable to perform any labor or discharge any duties with the Army, or in connection with the military defenses of the country, such as working upon fortifications, producing and preparing materials of war, building and repairing roads and bridges, and doing other work usually done by engineer troops and pontoniers, acting as cooks, teamsters, stewards and waiters in military hospitals, or other like labor, or similar duties which may be required or prescribed by the Secretary of War, or the general commanding."¹

The impressment of slaves was the subject of much legislation and regulation, but it did not seem to arouse the strife that other impressments did, probably because its enforcement concerned only the wealthy, who were left with sufficient slaves to carry on their affairs.

Although the impressment of other property was hedged around with all sorts of regulatory laws, it was the source of

¹ O. R., Vol. 129, p. 1115.

an immense amount of friction, of which we can give but a few glimpses, in order to show its destructive influence within the Confederacy.

On November 9, 1863, Governor Brown, that sturdy champion of the people, wrote to Secretary of War Seddon an interesting letter on the subject of impressments, saying in part: ²

Deeply regretting, but feeling assured of the truth of your statements in reference to the embarrassments that do now and for some time past have attended the operations of the commissaries of the Army, I have felt it my duty to aid and encourage them in procuring supplies and to sustain them with all my influence in making legal impressments. There have been so many outrages committed in this State under the guise of making impressments for the Army by unauthorized persons, who have resorted to it as a convenient mode of stealing and robbing from peaceful and unoffending and in many cases unsuspecting citizens, and so many irregularities and acts of partiality, injustice, and oppression committed by some of those who are authorized to make impressments, stripping some of nearly all their provisions and stock, in violation of the act of Congress, and refusing to grant the owners the rights provided for them in the act, that I have felt it to be my duty to interpose in behalf of common justice and right, and if possible to force lawless persons to abandon this mode of robbery, and legally authorized impressing agents to discharge their duties in subordination to the laws of the country and the acts of Congress.

He further says in the letter :

The effect of the present system of low prices and inadequate compensation, imposing as it does the burdens of supplying the Army upon the producing classes, levying contributions upon them in every case to the extent of the difference in the price paid by the Government and the market value, a burden in which other tax-paying classes do not share, is to withhold the supplies from the market and cause them to be secreted and concealed from the Government agents. This result has inaugurated the system of supplying the Army by impressment instead of by purchase, which is contrary to the true policy of the Government and

² O. R., Vol. 128, pp. 943-4.

against the injunctions in the act of Congress which forbids impressments until after there is a refusal to sell. By this system and under its baneful operations to the difficulty of procuring supplies and the danger of suffering in the Army for the want of food is added the evil spirit, bordering already in many cases upon open disloyalty, which it engenders among the people.

We might think that Governor Brown was in the habit of protesting too much, but for the fact that other Governors protest, too. We will take a glance at the situation in Florida, Alabama, and North Carolina, so that it may be understood that Georgia was not an isolated case in suffering wrongs under the working of the impressment law.

Governor John Milton of Florida wrote to the Secretary of War on January 26, 1864. He said, concerning impressment: ³

I would also respectfully invite your attention to the copies of letters received by me relative to the impressment of milch cows and calves by the commissary agents. One is from the Rev. John R. Richards, from West Florida; the other from a judge of probate in South Florida. The effect of the impressments made in West Florida was the desertion of a large number of the troops in that part of the State, a portion of whom have joined the enemy. From one company, which was considered the best drilled and most reliable company in West Florida, fifty-two men deserted with their arms, some of whom were known to be brave men, who, indignant at the heartless treatment of the rights of citizens, have joined the enemy. I respectfully urge that orders should be immediately issued to conscript and place in military service every impressing agent not in military service, and who if not connected with the Quartermaster or Commissary Department, would be subject to conscription; also that orders shall be issued forbidding interference with cows and calves, or stock not fit for beef, by the officers of the Confederate Government. The citizens of Florida in many parts of the State are indignant at the unnecessary abuse of their rights; and I have reason to know that the lawless and wicked conduct of Government agents in the State have produced serious dissatisfaction among the troops from this State in Northwest Georgia and in Virginia, and

³ O. R., Vol. 129, p. 45.

unless the evils complained of shall be promptly remedied the worst results may reasonably be apprehended.

The Governor of Alabama, T. H. Watts, writing to Seddon on January 19, 1864, makes this succinct statement: ⁴

If we fail to achieve our independence in this contest the failure will arise from breaking down the spirits of the people by acts of tyranny by our own officers. The impressment of property only aggravates the price and creates opposition to the Government and our cause. The practical operation of the impressment system has been disastrous.

Governor Vance of North Carolina, December 21, 1863, says to Seddon: ⁵

I desire to call your attention to an evil which is inflicting great distress upon the people of this State and contributing largely to the public discontent. I allude to illegal seizures of property and other depredations of an outrageous character by detached bands of troops, chiefly cavalry. The Department, I am sure, can have no idea of the extent and character of this evil. It is enough in many cases to breed a rebellion in a loyal county against the Confederacy, and has actually been the cause of much alienation of feeling in many parts of North Carolina. It is not my purpose now to give instances and call for punishment of the offenders—that I do to their commanding officers—but to ask if some order or regulation for the government of troops on detached service, the severe and unflinching execution of which might not check this stealing, pilfering, burning, and sometimes murderous conduct. I give you my word that in North Carolina it has become a grievance, intolerable, damnable, and not to be borne. If God Almighty had yet in store another plague worse than all others which he intended to have let loose on the Egyptians in case Pharaoh still hardened his heart, I am sure it must have been a regiment or so of half-armed, half-disciplined Confederate cavalry. Had they been turned loose among Pharaoh's subjects, with or without an impressment law, he would have become so sensible of the anger of God that he never would have followed the children of Israel to the Red Sea! No, sir; not an inch!

⁴ O. R., Vol. 129, p. 37.

⁵ O. R., Vol. 128, p. 1061.

Cannot officers be reduced to the ranks for permitting this? Cannot a few men be shot for perpetrating these outrages, as an example? Unless something can be done I shall be compelled in some sections to call out my militia and levy actual war against them. I beg your early and earnest attention to this matter.

A most poignant situation! The governor of a Confederate State threatening to call out the State militia to protect its citizens against, not the "damn Yankees," but against Confederate soldiers!

How little the desperate situation within the Confederacy, caused by the despotic acts of the men in control, is presented to the public today! From the pictures drawn by the present-day writers, the Confederacy was formed of an entirely harmonious citizenry, all struggling to maintain their rights. The only hardships endured, the only injustices suffered, were, according to these so-called historians, caused solely by Union troops and officers. This is a sort of *ex post facto* argument that, because the Union troops in preserving the Union are alleged to have inflicted all sorts of injuries on the Southern people, the South was justified in secession.

It is, therefore, a matter of surprise to learn that the South was never united; that, from the beginning, there was a strong Union sentiment, which grew stronger as the real principles of the Confederacy became known; that desertion was a terrible evil almost from the start; that conscription and impressment, far from helping "the stainless cause," served only to make it more distasteful.

All these causes combined were the source of another woe—so depressing and demoralizing in its effect that the disaffection of many of those yet uninfluenced by other causes was accomplished—and that woe was the pillaging and extortion practiced upon the Confederate civilians by the Confederate soldiery.

It was one of the most damning evils of that ill-starred attempt to found a new government upon the corner-stone of slavery. We would not here withdraw the veil from this festering sore of the Confederacy, but would let the facts lie unrevealed, were it not for the fact that these very Confed-

erates are today made the subjects of laudation by distinguished men, and that the evils that were inflicted by the Confederates on their own are attributed to Union soldiers—as a reward for their patriotism. We could ignore the laudation of the Confederacy, with all its falseness; but when it is necessary to defame Union patriots in order to give a halo to the Southern cause, silence ceases to be a virtue: those who are guilty of the defamation are responsible for this revelation of the truth of Confederate history.

It will not be forgotten that this subject was discussed briefly in Chapters XVIII and XIX, wherein we showed that Sherman's men were responsible only in a very small degree for the pillaging and devastation that occurred in Georgia and the Carolinas; and that the Confederates were responsible for a great deal of harm wrought, which was all delicately referred to by Rhodes in two or three lines, although he had given pages to the discussion of Union pillaging and, by half-truths and suppressions, had given false impressions.

On April 21, 1862, the Act to organize bands of partisan rangers became a law. In creating this body, the Confederates formed a Frankenstein that proved as destructive to themselves as to the enemy. These partisan rangers were, in plain terms, guerrillas, authorized by the Confederate Government, who shared in the profits of what they captured.⁶ It was the intention, of course, that they prey upon the Union troops and sympathizers, but the license allowed them—the freedom to decide for themselves who should, and who should not, be pillaged—soon made them a menace to any who might be in their path.

Even before this law was enacted, there was guerrilla warfare, authorized by the State of Virginia, and, in the face of its operations, it is truly surprising that the Confederate Congress should have given authority to such an organization as the Partisan Rangers.

Brigadier-General H. Heth, writing to the Governor of Virginia on April 2, 1862, about three weeks before the Partisan Rangers were authorized, says:⁷

⁶ O. R., Vol. 127, p. 1094.

⁷ O. R., Vol. 108, p. 526.

I feel it my duty to inform you of certain facts arising from the organization of the irregular force known as "rangers," authorized by an act of the Legislature of Virginia. The companies of this organization which have come under my observation are simply organized bands of robbers and plunderers, stealing the thunder of and basing their claims to organization upon the meritorious and daring acts of a few brave men. The parties, or many of them, composing the organization are notorious thieves and murderers, more ready to plunder friends than foes. With such material as a basis it would be surprising to find organization. They do as they please—go where they please. The effect of this organization upon the volunteering has been very injurious. Many, especially the worthless, like the privilege of fighting, as they say, on their own responsibility, which, interpreted, means roaming over the country, taking what they want, and doing nothing. The choice arms of the State have been furnished these people. This has induced many to believe that they are a favored organization. A guerrilla force without being closely watched becomes an organized and licensed band of robbers. Properly managed in small parties they are very efficient. I have contemplated very seriously disarming the two companies now here (Downs' and Spriggs'), simply as an act of protection to the good citizens of this county. A guerrilla chief should be able to enforce obedience and command the respect of his associates. These men (Downs and Spriggs) do neither. This organization has become a loop-hole through which hundreds are escaping draft and in fact all service. I respectfully invite your attention to the matter, convinced as I am that but one side of the picture has been presented to you. This subject would be a matter of entire indifference to me were it not for the extent which it militates against the good of our State and country.

That General Heth did not over-color the picture, is shown by a letter he received two days after he mailed the above-mentioned letter to the Governor of Virginia. This letter, from a committee of citizens, signed by Wm. Skeen, Attorney for the Commonwealth, and forwarded by the General to the Governor, is, in part, as follows (we cite enough to show the conditions):⁸

SIR: The militia of my county have been called out. The forces

⁸ *Ibid.*, p. 531.

at Huntersville have fallen back, and the wives and daughters and property of the men of Pocahontas left to the mercy of the enemy and the rangers. Springing full armed into existence (not from the brain of a heathen goddess but from hasty legislation), the rangers are a terror to the loyal and the true everywhere, and cannot whilst engaged in the murder of our citizens and the stealing of their property be of any service to Virginia or her cause. Need I tell you what you must know, that Virginia has armed these men to murder, rob, steal, and commit all other offenses of a less grade, and that they are doing it; that they are supreme judges of the loyalty of Virginians, and pass sentence of death or confiscation of property without evidence or the shadow of it, and execute their sentence of death and decretal orders of confiscation on any man they desire to kill and rob, or who has the misfortune to have sufficient property to be styled by them "Union men." Surely not. You know it. Some of them have murdered citizens of Pocahontas; others have stolen their horses. Three murders, three robberies, and fifteen to twenty horses stolen sum up their offenses as reported to me in Pocahontas; but their decree has gone forth, and this is "but the beginning of the end" unless they are brought in subjection to your command and the laws of the land.

I demand that they shall be, or that the militia of Pocahontas be disbanded and sent back to defend their families and property from the depredations of these lawless banditti, since the first duty of a man in a Government that fails to protect his family and property is to God and his own household.

With this evidence of the experience of the State of Virginia with these "free lances," it is not surprising to find Secretary of War Seddon, in his report to Jefferson Davis on the condition of affairs in the Confederacy, November 26, 1863, thus expressing himself concerning the Partisan Rangers:⁹

The advantages anticipated from the allowance of corps of partisan rangers, with peculiar privileges of prize to stimulate their zeal and activity, have been very partially realized, while from their independent organization and the facilities and temptations thereby afforded to license and depredations grave mischiefs have

⁹ O. R., Vol. 128, p. 1003.

resulted. They have, indeed, when under inefficient officers and operating within our own limits, come to be regarded as more formidable and destructive to our own people than to the enemy. The opportunities, too, afforded them of profit by their captures, as well as the lighter bonds of discipline under which they are held, serve to dissatisfy the trained soldiers of the Provisional Army, who encountering greater perils and privations, are denied similar indulgences. There are certainly some honorable exceptions to the general estimate thus held of the partisan corps, and in several instances partisan leaders have distinguished themselves and their corps by services as eminent as their achievements have been daring and brilliant. They constitute only notable exceptions, and experience of the general inefficiency and even mischief of the organizations would recommend that they either be merged in the troops of the line or be disbanded and conscribed.

This report is an excellent summary of the condition known as "digging a pit for one's neighbor and falling in it yourself."

With such evidence from the highest Confederate authorities, showing that the Confederates ruthlessly plundered their own, can we suppose that they would be any more gentle in dealing with those loyal to the Union; when General Hunter destroyed certain properties in retaliation for murders and brutalities committed against his troops, can we doubt that his charges were true in the light of the conditions above pictured?

But not all the pillaging and damage was wrought by these regularly-authorized troops of free lances. We have, in various citations in other chapters, shown that many deserters, departing with their arms, by banding together for lawless purposes, were a distinct menace to the community at large. Even these did not include all the Confederate pillagers. Various commands, from the inception of the war, had pillagers within their organizations. As early as August 9, 1861, Brigadier-General Magruder, commanding the forces about Yorktown, Virginia, issued an order, of which we will cite only enough to show the condition he inveighs against: ¹⁰

¹⁰ O. R., Vol. 108, p. 222.

GENERAL ORDERS,
No. 57.

The depredations committed on private property by the troops of this command are so base and cowardly in their character as to throw discredit on all officers, non-commissioned officers, and men who compose it. Houses and premises of patriotic citizens who have left their homes and taken up arms in defense of their principles have been violently invaded, instead of being approached with respect due their gallant owners, and been robbed of valuable property, in one case including certificate of bank stock. Carpet-bags and dressing-cases of the wives of these citizens have been broken open and robbed of their contents. Poultry, sheep, hogs, &c., which have been spared by the enemy have been seized upon by our soldiers without the permission of the owners and appropriated. Fields of growing corn belonging to very poor people, but who are true to our cause, have been destroyed by our army, and helpless women and children, whose husbands and fathers are absent in the field, have implored the commanding general with bitter tears to save their crops of corn to prevent starvation to their children and themselves during the approaching winter.

Again, on November 22, 1861, Judah P. Benjamin, then Secretary of War, wrote to Governor Letcher of Virginia: ¹¹

Will not your convention do something to protect your own people against atrocious crimes committed on their persons and property? There are in the Army, unfortunately, some desperate characters—men gathered from the outskirts and purlieus of large cities—who take advantage of the absence of the civil authorities to commit crimes, even murder, rape, and highway robbery, on the peaceful citizens in the neighborhood of the armies. For these offenses the punishment should be inflicted by the civil authorities. . . .

These letters show the condition in 1861; and in the following years the depredations increased. Nor were they confined to Virginia: all the seceding States, with the possible exceptions of Texas and Arkansas, suffered from this infectious ailment. Sometimes the Partisan Rangers and gueril-

¹¹ *Ibid.*, p. 387.

las, sometimes the regular soldiers, and often the deserters, were the guilty perpetrators. The Governors of the States were loud in their protests against these evils and in their appeals for aid. The generals in the field complained of it bitterly, in such phrases as General Pillow used concerning the stragglers in northern Alabama:¹² "They rob," he says, "burn, and murder the unarmed and defenseless population of the country with impunity."

General N. B. Forrest, in a circular, January 24, 1865, concerning the Department of Alabama, Mississippi, and East Louisiana, of which he had just assumed command, says, concerning "the illegal organizations of cavalry prowling through the country," that "They are in many instances nothing more or less than roving bands of deserters, absentees, stragglers, horse-thieves, and robbers, who consume the substance and appropriate the property of citizens without remuneration, and whose acts of lawlessness and crime demand a remedy."¹³

Late in 1864, General Lee was so exercised over the pillaging in the Army of Northern Virginia—the army most under his personal influence—that he issued an order as follows:¹⁴

GENERAL ORDERS,

No. 71.

HDQRS. ARMY OF NORTHERN VIRGINIA.

DECEMBER 12, 1864.

The general commanding has heard, with pain and mortification, that outrages and depredations, amounting in some cases to flagrant robbery, have been perpetrated upon citizens living within the lines, and near the camps of the army. Poor and helpless persons have been stripped of the means of subsistence and suffered violence by the hands of those upon whom they had a right to rely for protection. In one instance an atrocious murder was perpetrated upon a child by a band of ruffians whose supposed object was plunder.

The general commanding is well aware that the great body of the army which so unselfishly devotes itself to the defense of the country regards these crimes with abhorrence, and that they

¹² O. R., Vol. 128, p. 638.

¹³ O. R., Vol. 103, p. 931.

¹⁴ O. R., Vol. 89, p. 1270.

are committed by a few miscreants unworthy of the name of soldiers. But he feels that we cannot escape the disgrace that attends these evil-doers, except by the most strenuous exertions on our part to restrain their wickedness and bring upon them the just punishment of their offenses. This can only be accomplished by the united efforts of those good and true men who are no less desirous of being esteemed for virtue by their countrymen than of being respected for courage by their enemies. Laws and orders will prove ineffectual unless sustained by the hearty co-operation of those who feel that the existence of the evil is a reproach to themselves. The aid of all such is earnestly and confidently invoked to remove this stain from the fair name of the army. Let each man guard its honor as zealously as his own, regarding those who bring reproach upon it as enemies of his own reputation, and remembering that to withhold information that might lead to the detection of these criminals is to become morally a participant of their guilt.

The attention of officers is particularly directed to this subject. Their responsibility is greatest, for upon their care and vigilance necessarily depend, in a great degree, the prevention and detection of unlawful acts by these men.

Those commanding regiments, companies, or in charge of camps, hospitals, or detachments, will be required to account for all who fail to attend the roll-calls under existing orders, or for such of their officers and men as may be arrested absent from their commands without proper authority by the guards and pickets of the army.

Corps commanders will habitually keep out patrols to arrest all who are improperly absent and to protect the persons and property of those residing in the vicinity of their commands. When arrested the parties themselves and the officers responsible for their conduct will be brought to trial without delay.

By command of General Lee:

W. H. TAYLOR,

Assistant Adjutant-General.

The condition within the Confederacy in regard to pillaging was generally understood by our Government at the time of the surrender, for we find this order in the records, issued by Colonel John H. Oley, for the Department of West Virginia, dated April 29, 1865: ¹⁵

¹⁵ O. R., Vol. 97, p. 1015.

"All rebel soldiers can either be paroled or take the oath, and then be allowed to remain at their homes, if they are not considered dangerous men by the military authorities or their loyal neighbors, but deserters from the rebel army who have banded together to rob and murder, and have not been with their proper commands can have no mercy," etc.

It was a desperate situation within the Confederacy: desertion rife, conscription and impressments, with the violation of exemption privileges, alienating many who might have been steadfast, and, lastly, the canker of Confederate plundering of its own. They were as oppressive to the people as the plagues of Egypt, and, since the Confederate leaders were vocal in their belief that the Lord of Hosts was interested in their cause, we cannot believe otherwise than that He was interested to that degree that, as a judgment for their iniquitous scheme to overthrow this Government and to establish a slaveholders' Confederacy, He sent these curses upon them, to the end that they might be disrupted within, while being encircled without by a victorious army.

CHAPTER XXXII

THE CONFEDERACY AND STATE RIGHTS

From the beginning of this book, we have shown how constantly it is falsely taught that the "Southern War for Independence" was based on some other than its true principle of slavery: we have shown, through Stephens' admirable presentation, that the South had no true grievance so far as the United States Government was concerned; we have shown that the corner-stone of the Confederacy was slavery. The enunciations of the various States, as well as the Confederacy itself, when they were specific as to causes, concerned slavery and slavery alone. Yet, the falsification of the truth of Confederate history goes merrily on. We read on a monument in the square of the pretty town of Madison, Georgia, the following inscription:

To the soldiers of the Southern Confederacy who died to repel unconstitutional invasion, to protect the rights reserved to the people, to perpetuate forever the sovereignty of the States.

Erected by the Morgan County Chapter of the United Daughters of the Confederacy.

When we saw the film, *The Birth of a Nation*, the program contained this interesting statement: "The South held with passionate conviction that we were a Republic of Republics, each State free and sovereign. The North, under the leadership of Abraham Lincoln, held that the Union was indestructible and its sovereignty supreme."

We cite these quotations, just by way of reminder of exactly what the propaganda of today is, built up on that "species of political cant" described by General Thomas, "whereby the crime of treason may be covered with a counterfeit varnish of patriotism."

Since the Confederacy is heralded by its defenders as the true champion of State Sovereignty,—these defenders being

principally the United Daughters of the Confederacy—we naturally expect to find that, within the confines of the Confederacy, the individual State, with all its rights of sovereignty, received the tenderest consideration. It was sovereign—therefore, there could be no power above it. Sovereignty in its sublimest and purest form we should expect to find in the States of the confederation. The Confederate Government, since each State was sovereign, was naturally, therefore, to be presumed to be only the aider, protector, and abettor of this sovereignty.

We can draw no other conclusion. None other is justified. If each State was sovereign, then the Confederacy was not. If, on investigation, therefore, we find that the Confederacy exercised control over any State (or States) contrary to the wishes of that State, then all claims that the Southern Confederacy was made up of free and sovereign States is false, and the truth should be made public wherever the false is proclaimed.

With this preamble, we invite attention to that paragraph of Article Six of the Confederate Constitution, which reads:

3. This Constitution, and the laws of the Confederate States made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the Confederate States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

Every State which ratified the Confederate Constitution, by that paragraph, abandoned the sovereignty which she presumed to assume she had obtained by seceding from the Union. There was a law higher than the State, and that was the Confederate Constitution. Whatever of sovereignty she had lost by adopting the Constitution of the United States, and had regained by secession, she lost again upon ratification of the Confederate Constitution.

But, assuming that Paragraph 3 of Section Six was put into the Confederate Constitution without any intention of enforcing it against the States, if they raised a cry of sover-

eignty, which is nowhere mentioned in the Constitution except in the preamble—where, acting in their *sovereign* and independent character, the States established that instrument—we shall search the records to learn how this sovereignty of States fared in the Confederacy.

Some of our citations, as evidenced on other topics, have already indicated that there was conflict of opinion between the States and the Confederate Government. There were many of these conflicts, and they were not confined to any one State; for examples: we find Virginia exercised over impressment of her slaves and Confederate manufacture of whiskey within the State; North Carolina is concerned over the exemption of State officials, her woolen factories, her salt works, and whiskey manufacture; South Carolina is concerned over cotton and the manufacture of whiskey; and nearly all the States were concerned with the working of the conscript law as it affected the State militia and the exemptions of officials of each State.

We cannot discuss all these issues nor others not mentioned above. We can only take some cases as illustrative, and give the conclusion that may be drawn from the testimony of various Governors. Emphasis is laid on the fact that the issue we are raising in the presentation of this subject is not whether the Confederacy was right or wrong in the various differences which arose between it and the States, but whether, as developed in the Confederation, State Sovereignty was a fact accomplished, or not.

Article I, Section 8, Paragraph 16, of the Confederate Constitution, reads as follows:

The Congress shall have power—

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States; reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

The Act of April 16, 1862, conscripted every white man

between the ages of eighteen and thirty-five into the Confederate service.

These two laws, one constitutional and one congressional, could not both operate at the same time; and, as a matter of course, trouble came swiftly.

Governor Brown was quick to see the effect of the universal conscription act, which called out men necessary to the maintenance of the State, and he promptly notified Jefferson Davis that certain men, such as legislators, operatives for the Western and Atlantic Railroad (owned by the State of Georgia), and State officials, should be exempt, and he would not permit their enrollment. He then says: ¹

The conscription act gives the President the power to enroll the entire militia of the States between eighteen and thirty-five, and takes from States their constitutional right to appoint the officers and to train the militia. While the act does not leave to the States the appointment of a single officer to command the militia employed in the service of the Confederate States under its provisions, it places it in the power of the President to take a major-general of the militia of a State, if he is not thirty-five years of age, and place him in the ranks of the C. S. Army under the command of a third lieutenant appointed by the President, and to treat him as a deserter if he refuses to obey the call and submit to the command of the subaltern placed over him.

Davis replied briefly, on April 28; and, concerning the paragraph above quoted, says: ² "With regard to the mode of officering the troops now called into the service of the Confederacy, the intention of Congress is to me, as to you, to be learned from its acts, and from the terms employed it would seem that the policy of election by the troops themselves is adopted by Congress."

This conclusion, naturally, did not suit Governor Brown, and he wrote back at some length, explaining that he did so because "principles are involved of the most vital character upon the maintenance of which, in my opinion, depend not

¹ O. R., Vol. 127, p. 1085.

² *Ibid.*, p. 1100.

only the rights and sovereignty of the States, but the very existence of State Government.”³

He makes this succinct argument in the course of the letter :

When the States, by the sixteenth paragraph, expressly and carefully reserved to themselves the right to appoint the officers of the militia, when employed in the service of the Confederate States, it was certainly never contemplated that Congress had power, should it become necessary to call the whole militia of the States into the service of the Confederacy, to direct that the President should appoint—commission—all the officers of the militia thus called into service, under the general language contained in the previous grant of power to raise armies. If this can be done the very object of the States in reserving the power of appointing the officers is defeated, and that portion of the Constitution is not only a nullity, but the whole military power of the States and the entire control of the militia, with the appointment of the officers, are vested in the Confederate Government, whenever it chooses to call its own action “raising an army,” and not “calling forth the militia.”

He concludes with :

Feeling satisfied that the conscription act and such other acts of Congress as authorize the President to appoint or commission the officers of the militia of the State, when employed in the service of the Confederate States, “to repel invasion,” are in palpable violation of the Constitution, I can consent to do no act which commits Georgia to willing acquiescence in their binding force upon her people.

Davis, in a rather involved letter, remarks:⁴ “I cannot perceive how anyone can interpret the conscription law as taking away from the States the power to appoint officers to their militia.” This seems a different conclusion from his letter of April 28, wherein he says that the troops called into the service of the Confederacy are to be officered by their own election.

Governor Brown and President Davis continued the debate in several more letters, in which the Governor maintained,

³ *Ibid.*, p. 1116.

⁴ *Ibid.*, p. 1137.

to the end, that the conscription law, embracing, as it did, all the men within the State, which included the militia, was contrary to the rights of the State and subversive to its sovereignty.

In spite of Davis' statement concerning the right of the State to appoint its militia officers, on July 10, 1863, Governor Brown wrote to the Secretary of War, Seddon, and his opening sentence is: ⁵

I have the honor to acknowledge the receipt of your letter of 26th of June last in reply to my letter claiming for the gallant Fifty-first Georgia Regiment the right to elect an officer to fill the vacancy of the late Colonel Slaughter, who was killed in battle and whose vacancy has been filled by the general in command by promotion, denying to the regiment the right of election.

"The right of election," he points out, is derived from Article I, Section 8, Paragraph 16, of the Confederate Constitution, and from the Constitution of the State of Georgia. The former, he says, "in plain language reserved to herself [Georgia] the appointment of the officers to command any part of her militia when employed in the service of the Confederate States; and by her own constitution and laws she has provided that such appointment shall be made by election of those to be commanded by these officers and commission from the Governor, and that vacancies shall be filled in the same manner."

After arguing the matter at some length, Governor Brown says: ⁶

If the right is still denied it will be my duty to communicate the facts to the General Assembly of this State when again convened, and to ask them to take such action in the premises as will secure justice to their injured fellow-citizens and constituents and protect their plain constitutional rights.

This one right guaranteed to the State under the Confederate Constitution, that of appointing the officers of its militia, was thus wrested from the State by the conscript law. The

⁵ O. R., Vol. 128, p. 620.

⁶ P. 622.

Confederacy was supreme in everything else; but that was not enough, and this pitiful atom of power was seized, too. It left not even a suggestion of sovereignty to the State.

We will now see, since the Constitution was disregarded where State rights were concerned, how the State fared under the rights guaranteed by Congressional acts.

The Confederate Congress, on February 17, 1864, adopted the enlarged conscription laws. Under the section concerning exemptions, it reads: ⁷

That all laws granting exemptions from military service be, and the same are hereby repealed, and hereafter none shall be exempted except the following:

II. The Vice President of the Confederate States; the members and officers of Congress and of the several State Legislatures, and such other Confederate and State officers as the President or the Governors of the respective States may certify to be necessary for the proper administration of the Confederate or State governments, as the case may be.

This is a very innocent-appearing clause; but much gunpowder was concealed therein.

One of the first to touch off the powder was, of course, that sincere and consistent State-Rights man, Governor Brown. In answer to a letter of General Howell Cobb, the Governor expounds his attitude fully. It is not necessary to quote his whole letter of reply, dated May 5, 1864, but we will cite those portions which show his premises and conclusions.⁸ He says:

I regret to see that you seem to have fallen into the error, now so common among Confederate officers, that the States derive their powers, and the people of the States their rights and privileges, from the will of Congress; when in fact Congress and the Confederate Government derive all the powers they possess from the delegation of the respective States. . . .

Now, the fundamental error into which you have fallen is in assuming that Congress, and not the State Legislatures, have juris-

⁷ O. R., Vol. 129, p. 179.

⁸ *Ibid.*, p. 381.

diction over State officers, and that the acts of Congress, when in conflict with the Constitution, are the "laws of the country."

The State Legislature has declared that all civil and military officers of the State shall be exempt. Congress has declared that such State officers as the Governors of the respective States may certify to be necessary for the proper administration of the State government are exempt. Now, if I understand your position, it is this, that Congress has the jurisdiction over this subject-matter, and is the higher power; and as Congress has referred this question to the Governor, you hold that if he should differ from the Legislature, and should believe that part only of the State officers should be exempt, he may, by virtue of the authority conferred upon him by Congress, set aside the act of the Legislature, and protect only part of the State officers, when the Legislature has said he shall protect them all.

With this lucid exposition of the conflict of authority, it is not surprising to read his further statement:

In my address to which you refer, after referring to the acts of Congress and the resolution of the Legislature, I have said:

"In conformity to the resolution of the General Assembly I have certified to the President that I claim as exempt all civil and military officers of this State."

Their exemption is not claimed by the State under the act of Congress nor accepted as matter of grace or favor from Congress; nor does the certificate so state. It is claimed as matter of reserved right under the Constitution and by virtue of the resolution of the General Assembly of the State independently of any legislation which Congress has or can enact.

Again he makes his position even clearer, when he says to Cobb:

You refer to the number of justices of the peace and constables in the State, and express the opinion that a smaller number would be sufficient, and that persons over fifty years of age could as well fill these positions.

As I have already shown, the Legislature, which has the sole

jurisdiction over this question, has not left it to you or me to say that a smaller number is sufficient. They have laid down the rule, and I have no discretion but to execute the law, nor have I any power to say what shall be the age of the man who receives the commission. The constitution and laws of this State leave the selection to the voters and not to the Executive. My duty is to commission those who are legally elected, and not to dictate to the people who they shall elect.

It will be noted that Governor Brown, in the nice distinctions he makes, does not regard the State as a sovereign power, but merely as possessing certain constitutional rights, which it was his duty to defend against the usurping acts of the Confederate Congress.

Governor Charles Clark of Mississippi stepped into this fray with a telegram to the Secretary of War, May 25, 1864, in which he says:⁹ "No reply received to my telegram of the 13th instant. Justices of peace and other civil officers declared by my proclamation exempt have been forced into service. I respectfully demand your order to Captain Wren, at Enterprise, Miss., for their discharge."

This drew a reply from Seddon, on May 27,¹⁰ that if the Governor would issue certificates of exemption they would be honored, thus showing that the Confederate officers had ignored the Governor's proclamation as insufficient and unauthorized.

This did not end the friction. Governor Clark threw a bomb in the communication, which Brigadier-General W. L. Brandon, Commanding Reserves in Mississippi, reports on October 2, 1864, to Adjutant General Cooper as follows:¹¹

The following communication has been received from Governor Clark:

"The State of Mississippi has to defend herself in future. For this defense I promise to secure volunteers for six months without regard to age, if mustered into service previous to enrollment or conscription. I have no doubt of my right to them as troops of war of the States. The commandant of the State addressed

⁹ O. R., Vol. 129, p. 446.

¹⁰ P. 450.

¹¹ O. R., Vol. 129, p. 710.

General Preston on the subject on 25th August, but has had no reply."

General Brandon adds: "As this insures a conflict with the State authorities I desire your instructions."

This naturally raised a serious issue between General Brandon, Commanding the Reserves in the State, and Governor Clark. The General sought the advice of the Secretary of War, who gave his conclusions concerning the controversy in two different letters. In the first, November 12, 1864, he says, in part:¹²

I deprecate any conflict with the State authorities on this or any other subject, but as head of this Department and an officer acting under Confederate authority I am bound to administer and enforce the acts of Congress according to their fair and just intendment. Those acts being, as I am bound to consider, and as I believe they undoubtedly are, constitutional, form a part of the supreme law of the land and are obligatory upon all, not less on the State authorities than those of the Confederacy. By those acts all persons of the military age prescribed are placed at once in the service of the Confederacy. They cannot, therefore, longer be the subjects of enrollment or enlistment for State troops. Doubt might exist in regard to the operation of the law upon such troops as had been previously constituted, in the language of the Constitution, troops of war by any State, but none can arise as to those who had not been previously recruited or who were mere militia. All such, therefore, are liable to conscription, or to organization as reserves, according to their ages, and the plain duty is incumbent, both upon this Department and its officers, to proceed with all courtesy and respect, but with firmness, to execute the law. As far as I can perceive, the organizations formed by the Governor of Mississippi are purely those of militia. They cannot, therefore, present any claim for exemption from the operation of these laws, and however reluctant to contravene the views of the Governor, I see no alternative for the Department or yourself but to proceed to claim the members liable to service with the Army or the reserve.

¹ Governor Clark had suggested to General Brandon the

¹² *Ibid.*, p. 821.

making of a test case under a writ of *habeas corpus*, and to this the General reluctantly assented, reporting the situation as it developed to the Secretary of War, who replied on December 25, 1864:¹³

. . . . The Department can oppose no objection to the interposition of the courts in the determination of questions which properly arise in cases that may regularly come before them for adjudication.

Unfortunately the Confederate States have not organized their judiciary so as that questions arising under the Constitution and laws of the Confederacy shall be finally settled by their own tribunals, nor have they provided that they shall be brought to adjudication, exclusively, by their own courts.

This has compelled the Department to submit to decisions by courts that are not under the Constitution the ultimate arbiters of such questions. But the Department has not usually regarded the decisions as authoritative over the question decided, but only in the particular cases. It has yielded to the judgment of the court, but not to the opinion that might be pronounced as settling all similar cases.

If the Department had adopted any other rule it would have found itself compelled to administer the same law differently in the different States; for in different States diverse opinions upon the same questions have been more than once expressed by their highest courts.

The act of Congress of February last placed in the service all persons between seventeen and fifty years of age for military service under different circumstances. The reserved classes were designed for the defense of the States in which they were to be organized. These men were withdrawn from their militia organizations and placed under Confederate control. *The act of Congress is constitutional and is the supreme law of the land.*

The Department has no power to dispense with the execution of this law, or to submit its action under it to the final decision of any State tribunal.

The decision of the State courts of Mississippi will be respected in any case within the jurisdiction of the court, and the opinion of the judge will be considerably examined in respect to the cases that are likely to arise, but the Department cannot pledge itself to

¹³ *Ibid.*, p. 965.

adopt it as the basis of its action. Please send the opinion of the court in the case to be submitted. [The italics are ours.]

We invite particular attention to this letter: it mentions the fact that the Confederate Government had no Supreme Court, although the Constitution, adopted nearly four years earlier, made provision for such court, which was to be appointed by the President.

The decision, therefore, on this issue—which was momentous to the advocates of State Rights and State Sovereignty—was made by the Secretary of War, when he says, “The act of Congress is constitutional and is the supreme law of the land.” This is a peculiar situation: to find the Secretary of War passing judgment on the constitutionality of an act of Congress, when the issue was raised.

It but emphasizes the fact that, by his failure to appoint a Supreme Court, Jefferson Davis arrogated to himself and to his cabinet the judicial as well as the executive functions of the Confederacy. The States had, therefore, no appeal. Even the right of taking a case to a Confederate Court—a right guaranteed by the Constitution—was denied; and those who were the adversaries of the States in the issues of State Rights became the judges. Nothing further removed from State Sovereignty, the present-day boast of Confederate advocates, can be imagined.

Other Governors were equally energetic in the defense of the rights of the State under the Constitution. Governor T. H. Watts, of Alabama, entered the arena very early after the conscription act of February, 1864. On May 31 he wrote to Seddon a letter of protest, in which he said: ¹⁴

It must not be forgotten that the States have some rights left, and that the right to troops in time of war is guaranteed by the Constitution. These rights, on the part of Alabama, I am determined shall be respected. I cannot permit the troops organized for State defense and ready to obey my call to be all taken out of control of the State. The laws of Alabama must be executed and I must have some troops at my command to execute them; such

¹⁴ *Ibid.*, p. 463.

troops, while I am Governor, will always be ready to obey any call made by the President."

This was only an introduction to the conflict, and by November 8, 1864, after various other protests, Governor Watts sent to Secretary Seddon the following letter:¹⁵

Unless you interfere there will be a conflict between the Confederate and State authorities. Officers of the State cannot be conscribed without the consent of the State. I learned that your enrolling officers have instructions to enroll officers of the State who have been elected since the 17th of February, 1864. I deny such right and will resist it with all the forces of the State. These officers are indispensable to the administration of the State Government. General Withers says he has no discretion. An early reply requested.

By this time it must strike the reader as very singular that it should be necessary for a State to threaten to use force to maintain a constitutional right against a Government which, we are told, was established to maintain State Sovereignty. However, since we have already found Secretary of War Seddon acting in the role of Supreme Court in adjudicating matters between Mississippi and the Confederacy, it does not surprise us to have him hand down a decision as between Alabama and the Confederacy. Writing to General Withers, commanding reserves in Alabama, November 25, 1864, he says:¹⁶

If the Governor of Alabama supposes that the act of Congress contains an exemption in favor of officers who have been elected since the date of the act, and who have obtained a certificate from him that they are necessary for a public administration of the State Government, the Department differs from him; but this difference scarcely entitles him to take up arms, or to menace with resistance by force the administration of the Department."

Governor Vance of North Carolina came into conflict with the Confederacy on the question of the exemption of D. L.

¹⁵ *Ibid.*, p. 820.

¹⁶ *Ibid.*, p. 849.

Russell, Jr., who had been dismissed from the service on account of extreme youth, and, before the last conscription, had been elected a "Commissioner for distributing money and provisions to soldiers' families."¹⁷ In the course of the animated discussion concerning Russell, Governor Vance explained his attitude on his exemption powers in a letter to Secretary Seddon of May 19, 1864,¹⁸ in which he says:

In the first place, I am unwilling to concede that the exemption of State officers depends upon the action of Congress, believing as I do that each State has the unqualified right to exempt from military service such officers as the General Assembly may declare necessary for the due administration of the government and laws of the State. The act of Congress declaring there shall be exempted "all State officers whom the Governor of the State may claim to have exempted for the due administration of the laws and government thereof" was not to confer power on the Governor to exempt State officers, for the Governors derive their power from the constitution and laws of the State, and not from Congress, but to make the operation of the act of Congress depend upon the action of the Governors in claiming certain State officers for the due administration of the laws of the State.

Governor Vance's plea for Russell was denied by Seddon in a letter written July 23, and on the same date Seddon sent a message to General W. H. C. Whiting at Wilmington, North Carolina:¹⁹ "Should you arrest Russell and have him in custody you had better make return to any writ that may be served that you hold him under the law suspending the writ of habeas corpus for seeking to evade military service."

This, it will be seen, was an interesting method of suppressing State Sovereignty—not only was the certificate of the Governor that Russell should be exempted ignored—but the right of writ of habeas corpus was to be suspended. By such methods did the Confederacy "protect the reserved rights of the people," as the monument at Madison, Georgia, asserts.

The question of the manufacture of spirituous liquors by

¹⁷ O. R., Vol. 129, p. 427.

¹⁸ *Ibid.*, p. 425.

¹⁹ *Ibid.*, p. 556.

or for the Confederate Government raised an issue between a number of States and the Confederacy.

An act of Congress, June 14, 1864,²⁰ had authorized the establishment of distilleries to manufacture liquors for the Army and for hospitals. A distillery was established at Buchanan, in the State of Virginia; the Circuit Court of Botetourt County, under the authority of a law of Virginia prohibiting distillation, seized the distillery and started criminal prosecution against the officer having the management of the distillery for the Government.

In this issue, the Attorney-General, George Davis, gave the following opinion to the Secretary of War:²¹

Virginia, in common with her sister States, has accepted the Constitution of the Confederate States as her supreme law, which displaces and overrules all other conflicting laws. That Constitution confers upon Congress in the fullest and broadest terms the power "to raise and support armies." Of what avail is this power if it can be so easily rendered nugatory by State legislation? If the Legislatures of the States can prohibit and prevent any one of the steps necessary in the process of raising and supporting armies, they may prohibit and prevent them all. If they can prohibit the manufacture by the Government of hospital supplies, they can prohibit the manufacture of powder, arms, and all the munitions of war, and the enlistment of men, and so the whole war power of the Confederate Government would be prostrate at the feet of the State Legislatures.

With the letter which contained the above opinion, Attorney-General Davis inclosed one from Wade Keyes, Attorney-General *ad interim*, dated December 18, 1863, wherein this question was fully discussed, concerning another case in Virginia, in which the Confederate medical purveyor had contracted with a citizen of Virginia for the manufacture of liquor for Army purposes. The right to do this was upheld by the Attorney-General.

Attorney-General Davis also sent as a second inclosure a

²⁰ *Ibid.*, p. 875.

²¹ *Ibid.*

copy of his letter to Secretary of the Navy Mallory, dated March 7, 1864, in which he writes:

Your letter of the 3rd instant informs me that the Navy Department is erecting a distillery in South Carolina for the sole purpose of distilling whiskey for the use of the Navy of the Confederate States; that the Governor of the State has required your agent to discontinue the work on the ground that the laws of the State prohibit the establishment of distilleries, and the question you propose is, how far the State has the power to prohibit distillation for the purpose aforesaid.

Attorney-General Davis further answers the question, thus:

I can see no foundation whatever for any authority in a State thus to obstruct the action of the Government. The States by their own voluntary consent have made the Constitution of the Confederate States their supreme law, before which all other laws must yield.

We announced in the beginning of this chapter that it would be a denial of State Sovereignty, if we found that the Confederacy exercised any control over a State, or States, contrary to the wishes of the State. Our evidence is conclusive that, if State Sovereignty existed anywhere on earth, it was not in the Confederacy, for there it was singularly conspicuous by its absence.

Even the few specific rights guaranteed to the States under the Constitution were taken away from them; and where the law of a State conflicted with that of the Confederacy, the law of the State became a mere scrap of paper. Not only was State Sovereignty absent, but the States were under a despotism as absolute as that of the czardom of Russia. They had absolutely no rights which the Confederate leaders felt bound to observe. State Sovereignty was a chimera by which men were misled to do the will of a despotic minority, who were disgruntled because the Government of the United States was no longer under their control.

We will close this topic by citing two opinions: one that of the Assistant Secretary of War, Campbell, to the Secretary

of War, concerning the situation in the unruly States, dated March 5, 1865; the other the opinion of A. G. Magrath, Governor of South Carolina, concerning the Confederate Government, which he expressed in a letter to Governor Vance on January 26, 1865. The letters speak for themselves.

Assistant Secretary Campbell says: ²²

The political condition is not more favorable. Georgia is in a State that may properly be called insurrectionary against the Confederate authorities. Her public men of greatest influence have cast reproach upon the laws of the Confederacy and the Confederate authorities, and have made the execution of the laws nearly impossible. A mere mention of the condition in Tennessee, Missouri, Kentucky, Western Virginia, the line of the Mississippi, the sea-board from the Potomac to the Sabine, and of North Alabama, is sufficient. North Carolina is divided, and her divisions will prevent her from taking upon herself the support of the war as Virginia has done. With the evacuation of Richmond, the State of Virginia must be abandoned. The war will cease to be a national one from that time. You cannot but have perceived how much of the treasure, of the hopes, and affections of the people of all the States have been deposited in Virginia, and how much the national spirit has been upheld by the operations here. When this exchequer becomes exhausted, I fear that we shall be bankrupt, and that the public spirit in the South and Southwestern States will fail.

Governor Magrath says: ²³

We have therefore presented in the whole progress of the war the startling contradiction of States united in a league for the support of their separate independence, called on to ignore, if not abjure, that independence. A compact of carefully guarded powers expanding into a government without limitation or responsibility. Guarantees for the liberty of person and protection of property, not only not respected, but so recklessly invaded that the retention of such prerogatives now seems rather a mockery than a guarantee. Whenever there has been an invasion of those guarantees of personal liberty and property, the citizen was paralyzed by the acquiescence of his State in the assumption by the

²² O. R., Vol. 108, p. 1066.

²³ O. R., Vol. 111, p. 396.

common Government of its prerogatives; and if the State did manifest a purpose to assert its dignity and its rights the cry that the arm of the common Government would be thereby paralyzed forced it to abandon its purpose and trust to the hope that a speedy termination of the war would terminate the forced and unnatural—I will not say undignified—condition in which it had been placed. As might have been expected, the exercise of powers which were never intended to be conferred upon the common Government has necessarily called forth an equally unauthorized administration of them. Impressment, for the sake of illustration, has supplied the place of contract. The order of a bureau accomplishes what Congress itself would not venture to do. The functions of a judge are transferred to some military officer. And the court of justice is closed by the denial to a magistrate of the power to inquire into the cause of a commitment. Arrests are made by order; detention is secured by command; and a power more gigantic than any crowned head in Europe would exercise is presented to us as the means by which we are to insure success in a struggle to establish a free government. It is thus that we have dried up the openings from which new courage and fresh impulse could have been given to our people in this protracted contest in which they have been engaged. We taught them to know their States as their country, and in the defense of that country we have blotted out and hidden from their view those States which are that country.

In his speech before the Georgia Secession Convention, Alexander H. Stephens said, as we have already shown,

This step [secession] once taken can never be recalled; and all the baleful withering consequences that must follow, will rest on the convention for all coming time. When we and our posterity shall see our lovely South desolated by the demon of war, which this act of yours will inevitably invite and call forth; when our green fields of waving harvest shall be trodden down by the murderous soldiery and fiery car of war sweeping over our land; our temples of justice laid in ashes; all the horrors and desolations of war upon us; who but this convention will be held responsible for it? and who but him who shall have given his vote for this unwise and ill-timed measure, as I honestly think and believe, shall be held to strict account for this suicidal act by the present generation and probably cursed and execrated by posterity

for all coming time, for the wide and desolating ruin that will inevitably follow this act you now propose to perpetrate.

From our presentation of facts concerning what went on behind the scenes in the Confederacy, as portrayed by their own officials, Confederate and State, we have shown that Stephens spoke with prophetic vision, and that those who voted their States into the slaveholders' Confederacy brought the desolation of war upon their fair Southern land. Therefore, according to the man who became the Vice-President of the Confederacy, everyone who so voted should stand accursed by their posterity and by everyone who suffered as a result.

It was into this desolation, this chaos, depicted so vividly by Assistant Secretary of War Campbell and Governor Magrath, that the Government of the United States stepped and, by means of military occupation, restored order and peace under "Reconstruction."

It was a difficult task; but, as our Government had succeeded in war, so it succeeded in peace. It is, however, one of the rewards of patriotism that this military occupation, which restored peace and good government to the Confederate States after they had reaped the ruin which they sowed, is now blamed for the very ruin which the secessionists caused. One hears nothing of the chaos wrought by the war; all the woes following in its trail are now attributed to "Reconstruction." It is as false a misrepresentation as those others upon which the adulators of the slaveholders' Confederacy seek to justify its former existence.

CHAPTER XXXIII

THE NUMBER OF CONFEDERATE TROOPS, 1861-1865

Owing to the fact that the Confederate records were in part destroyed, or have not been accessible to the public, an exact statement of the number of men in the military service of the Confederacy cannot be obtained, but the approximate number can be stated from the data available.

A leaflet is sold at the Confederate Museum in Richmond, Virginia, which is entitled *Historical Facts*. The first "fact" given is: "The seceding States in 1861 had a population of 8,000,000, about 4,000,000 of which were slaves." With this opening mistatement by what should be the highest Confederate authority, we can judge how much credence should be given to the uncorroborated statements contained in this leaflet.

Jefferson Davis, in his *Rise and Fall of the Confederate Government*,¹ carefully gives a comprehensive statement of the number of men called into the Union armies during the war, but he just as carefully refrains, so far as we have been able to find in his work, from giving any information that would assist in determining the number of men in the Confederate Armies.

According to the United States census of 1860, the total population of the eleven seceding States was 9,103,332, of which 5,449,510 were white and 3,653,822 were colored. The claim was made during and after the war that Kentucky and Missouri had seceded and joined the Confederacy. Alexander H. Stephens included the names of senators and representatives to the Confederate Congress from both these States in his *War Between the States*.² The Stone Mountain Confederate Monumental Association, in its pamphlet, assist in main-

¹ Vol. 2, p. 706.

² Vol. 2, pp. 760-761.

taining the fiction, by saying that the Confederacy had thirteen States.

The claim is so preposterous that we do not include their population of 1,984,362 white and 354,104 colored in our calculations of the number of soldiers Kentucky and Missouri might have supplied to the Confederacy—if they had really seceded.

Colonel W. F. Fox, in his *Regimental Losses*, says: "The eleven States of the Southern Confederacy had, in 1860, a military population of 1,064,193 with which to confront the 4,559,872 of the same class, belonging to the other States and Territories." This preponderance in numbers of the loyal States was, of course, well known to the leaders of the rebellion. They must have believed that arrogant boast, so often heard in those days, that one Southerner could whip five Northerners; or that other equally vain claim, that "the North would not fight to maintain the Union." This last theory was certainly believed by some, particularly by army officers, who should have known better; but, when the war became a fact, they had so far committed themselves to the approval of treason that it was too late to retreat.

We purpose briefly, to show, from Confederate sources, what the number of troops available and in the service really was, so far as the incomplete records attainable show. The Confederate statistician has obligingly set forth the number of Southern men in the Union army, black and white, which, according to his figures, makes the number of those espousing the Union cause in the South much more nearly equal to the Confederates than one would suppose from the present-day propaganda that there was a united South struggling for State Rights.

It must be remembered, too, that the Negroes, who were conscripted for all kinds of army labor, are not included in the tabulation of Southern man-power by the Confederates, although they assisted materially in another way. Jefferson Davis points out in his *Rise and Fall*³ that

Much of our success was due to the much-abused institution of

³ Vol. 1, p. 303.

African servitude, for it enabled the white men to go into the army, and leave the cultivation of their fields and the care of their flocks, as well as of their wives and children, to those who, in the language of the Constitution, were "held to service or labor."

It is the evident intent, in the persistent and continuously reduced claims of smaller numbers in the Confederate army, to try to show that defeat was caused solely by lack of numbers. But, in this very attitude, they must, if they credit the South with *too* small a number, either misrepresent the total population or admit that Southern valor did not rush to the defense of "the stainless cause" in any proper proportion to numbers; the conscript acts, sweeping and ruthless as they were, are an admission of this fact.

As above stated, Colonel Fox shows the military population of the eleven seceding States to have been 1,064,193 men between 18 and 45 years of age. This figure is made up by the tabulation of such population in the different States as follows:

Alabama	99,967	Louisiana ...	83,456	Tennessee ...	159,353
Arkansas	65,231	Mississippi ..	70,295	Texas	92,145
Florida	15,739	No. Carolina.	115,369	Virginia	196,587
Georgia	111,005	So. Carolina.	55,046	Total	1,064,193

It is true that the population of West Virginia is included in this tabulation, and that Tennessee and some other seceded States supplied something like 60,000 men to fight for the Union; but that is largely, if not entirely, offset by the men supplied to the Southern army by the other slave States—Kentucky, Missouri, and Maryland—and, at least, these three States did not supply their quota to the Union army by more than 60,000.

As no official record showing the total number of men supplied by the seceded States to their army is available, we are compelled to secure such information from the only sources, and to the extent, available.

The *Confederate Veteran* of May, 1925, page 168, gives the number of such Texas troops as "about 95,000 private soldiers." If the officers be included, there would be about

100,000. The same authority of September, 1925, page 335, says, "all told Georgia put into the Armies of the Confederacy over one hundred thousand men." Stovall, in his *Life of Robert Toombs*, page 213, says: "Georgia furnished 120,000 soldiers to the Confederate army." The Confederate Museum at Richmond has for years displayed a large banner on which is emblazoned the legend that North Carolina furnished the Confederacy 125,000 men. J. C. Du Bose, in his *History of Alabama*, 1908, page 162, says: "Alabama contributed about 125,000 soldiers to the Confederate cause, 30,000 of whom fell before musket, cannon and disease." On page 167 he states it as, "The state furnished to the Confederacy more than a dozen generals and 125,000 soldiers."

We doubt the correctness of these figures, but if we accept them as correct, we find that these four States supplied to the Confederacy about 470,000 men, although their military population was, in 1860, as shown, but 418,486, which indicates that a large number of them were not yet 18 years old. Such enlistments were common in the Union army also.

The figures above given do not seem to be in accord with the circular issued by the Confederate Museum at Richmond, wherein it is stated that 600,000 men were enlisted in the Confederate Army. If the four States named supplied 470,000 men, it would leave but 130,000 to be supplied by the seven other Confederate States.

Better evidence than these historians present is found on page 102 of Volume 129 of *Official Records of the Rebellion*. This is the last volume of records, published by the Government in 1900. The report there given by Colonel E. D. Blake, Superintendent of Registration, and made to the Conscription Bureau at Richmond, dated January 25, 1864 (apparently for January 1, 1864), sets forth a tabulation of men supplied to the Confederate army from six states, as follows:

State	Number in Service	Population in 1860
Alabama	90,857	529,164
Virginia	153,876	1,105,136
Mississippi	66,982	354,099
North Carolina	88,457	661,586

South Carolina	60,127	301,271
Georgia	106,157	595,097
Total	566,456	3,546,353

This is an authorized statement made by the proper officer, and is undoubtedly correct so far as it goes, covering the six States named at that date, thirty-three months after the war was begun. In the next fifteen months, during which the conscription act was extended to include all men between seventeen and fifty, it is not unreasonable to assume that a number equal to at least fifteen per cent of those previously enlisted were added to this total of 566,456 men, making a total of 651,424 supplied by these six States during the war.

The military population in 1860 of these six States was 648,269. It is not unfair to conclude that the other five States, Florida, Louisiana, Texas, Arkansas, and Tennessee, with a military population in 1860 of 415,924, supplied as large a proportion of their population to the Confederate army, or 418,000 men. This makes a total of 1,069,424 different men in the Army of the Confederate States during the war, or a number about equal to their military population in 1860.

It should be noted that, in the tabulated statement and calculations based thereon, none of the organized State militia of the several Confederate States was included. They were well armed and equipped, and often took the place of regular troops, even to the extent of fighting important battles. The aggregate of such militia must have been large, but their number does not seem to be of record. If their number could be known, it would probably increase the number under arms in the Confederate service to 1,150,000, about half the number of different men who enlisted in the Union Armies, many of whom enlisted twice or three times, enough to make the total enlistments nearly 2,800,000.

Neither do such statements include the large number of Negroes who were conscripted and required to perform all kinds of labor on fortifications and otherwise, which, in the Union Army, was performed by the soldiers who are included in the statistics given.

So far as can be readily determined from available records,

the relative strength of the two Armies was usually about two in the Union Army to one in the rebel army. This relative strength was somewhat closely maintained until near the close of the war.

A report, dated March 1, 1862,⁴ by the Confederate Adjutant-General, gives the total number of troops in the service as 340,250. On March 31, 1862, Phisterer's *Statistical Record*, page 62, gives the total number in the Union service as 637,126.

On December 31, 1862,⁵ it is shown that the Confederate army consisted of 449,439 men. On January 1, 1863, Phisterer shows the number in the Union army to be 918,191.

On December 31, 1863,⁶ it is shown that the Confederate Army consisted of 464,646 men. By this time (January 1, 1864) the Union army, as shown by Phisterer, had decreased to 860,737 men.

On December 31, 1864,⁷ it is shown, with some troops not reported, that the Confederate Army had 400,787 men. On January 1, 1865 (according to Phisterer), the Union army had increased to 959,460 men.

The last general report of Confederate troops shown in the *Official Records*, Vol. 129, page 1182, gives 358,692 men in the Confederate Army, with reports omitted from two departments, which must have increased the number to nearly 400,000. This is a compilation of reports dated near March 1, 1865, and the Army of Northern Virginia is shown as consisting of 160,411 men, not including 9,456 men of the Department of Richmond. On March 31, 1865, the Union army, as shown by Phisterer, had 980,086 men, the largest number ever in the Union army until after the war was ended, when, on May 1, 1865, it had increased to 1,000,516 men.

The foregoing account refers to the number of men who enlisted, or who were conscripted, and the numbers stated are of those who were carried on the rolls; the number who

⁴ O. R., Vol. 127, p. 963.

⁵ O. R., Vol. 128, p. 278.

⁶ O. R., Vol. 128, p. 1073.

⁷ O. R., Vol. 129, p. 989.

were "present for duty" was, sometimes, a very different matter.

In a report by General Bragg, of the Army of the Mississippi, on April 10, 1862,⁸ the total, present and absent, is given as 64,500. Of these the aggregate present is shown to be 47,493; the absent without leave, deserters, 2,700; and the other 14,307 sick, or on leave or detached duty. If the number of deserters here shown is a fair indication of the number of deserters from their entire army, it would show about 14,000 such deserters before the war had continued a year. How long men were carried on the rolls after they were known to be deserters does not seem to be indicated.

As will be seen in the foregoing record, the Confederate rolls show 340,250 men on March 1, 1862, but the number then present is not stated.

On June 30, 1862,⁹ there were on the Confederate rolls, 328,049 men, of whom 224,146 were present.

On December 31, 1862,¹⁰ of the 449,439 men on the rolls, 304,015 were put down as present.

On December 31, 1863,¹¹ of the 464,646 men on the Confederate rolls, 277,970 were present.

On December 31, 1864,¹² of the 400,787 men on the Confederate rolls, 196,016 were reported present.

On several dates near March 1, 1865,¹³ the Confederate rolls contained 358,692 men (with some commands not reported), of which 160,198 are put down as present.

On this last report of March 1, 1865, the army of General Lee, including the Department of Richmond, is shown to consist of 169,867 men, of whom 78,524 are reported present; 50,000 of which he lost in battle or by desertion, leaving him but 28,000 to surrender at Appomattox.

⁸ O. R., Vol. 10, p. 399.

⁹ O. R., Vol. 127, p. 1176.

¹⁰ O. R., Vol. 128, p. 278.

¹¹ O. R., Vol. 128, p. 1073.

¹² O. R., Vol. 129, p. 989.

¹³ O. R., Vol. 129, p. 1182.

CHAPTER XXXIV

LEE—FURTHER CHARACTERISTICS

In our earlier chapters concerning Robert E. Lee, we discussed at some length his attitude and conduct up to the time of the popular vote on secession, in Virginia, which was taken on May 23, 1861. There are several salient features of Lee's career at that time which should never be forgotten:

He was so close in the councils of the Confederacy that he was appointed a Brigadier-General on March 15, 1861; this was the highest military rank at that time in the Confederate Army.

Yet, he renewed his oath of allegiance to the United States on March 30, 1861, in accepting the appointment of colonel.

On April 23, 1861, although his resignation was not yet accepted by the United States Government, he accepted the highest command of the Virginia forces, which were at that time under the control of the Confederacy, thereby becoming a part of the Confederate Army—and this a month before Virginia was out of the Union.

We presume no other man was ever at once an officer in three different and antagonistic military forces as was Lee; for, as we have shown, he was still in the United States Army, he was in the Virginia forces, and he was a part of the Confederate Army, at a time when these three forces were supposed to be independent. It would seem that General Lee, far from presuming that he could not serve two masters, was for a while in the service of three.

We should remember, also, that Lee wrote to his sister, on April 20, 1861:

"The whole South is in a state of revolution into which Virginia, after a long struggle, has been drawn; and, though I recognize no necessity for this state of things and

would have forborne and pleaded to the end for redress of grievances, real or supposed, yet in my own person I had to meet the question whether I should take part against my native State." In this statement that he "recognized no necessity for this state of things," Lee is in entire accord with Alexander H. Stephens, who so admirably presented the South's lack of grievance to the Georgia Convention.

In his letter of January 23, 1861, to his son, after saying, "I can anticipate no greater calamity for the country than a dissolution of the Union," he concludes, "Still a Union that can only be maintained by swords and bayonets, and in which strife and civil war are to take the place of brotherly love and kindness, has no charm for me."

And, in the face of this statement that a Union which had to be maintained by force of arms had no charm for him, he accepted the command of the Virginia military forces, then controlled by the Confederacy, which, even before his beloved Union had been attacked at Fort Sumter on April 12, and before Abraham Lincoln had issued his call for 75,000 troops, had authorized the raising of 100,000 men and had called into its military service 36,900, and had increased the number by 32,000 more men by April 16.¹ He could have had no doubt that the union of seceding States was to be maintained by "swords and bayonets," when nearly 70,000 men were armed for its defense.

The constant justification of Lee's conduct is made that, as his nephew puts it,² "He had been taught when a boy that his first duty was to his mother Commonwealth."

If this is a justifiable reason, then he could never have honorably taken the oath of allegiance to the United States. An oath of allegiance means exactly what it says. It admits of no reservations. So, when Lee swore on March 30, 1861, that "I will bear true allegiance to the United States of America, and that I will serve them honestly and faithfully against all their enemies or opposers whatsoever," that oath admitted, honorably, of no reservation, and he committed the most dastardly of crimes, treason, when he took arms against the

¹ O. R., Vol. 126, p. 692.

² *General Lee*, p. 81.

Government—from which neither he nor his State nor the Confederacy had suffered any wrong.³

It is entertaining, therefore, to read in a letter of his of January 5, 1866, that "All that the South has ever desired was that the Union, as established by our forefathers, should be preserved; and that the Government, as originally organized, should be administered in purity and truth."⁴

We have shown that before the war Lee considered that slavery was a great evil, both to the white and black races; yet, when the question of arming the slaves to fight for the perpetuation of slavery arose, he about-faced and declared that the relation of master and slave was the best condition for the two races.

We have shown that Lee was willing to stoop to defamatory statements concerning Union troops in order to inflame the laggard Confederates into action.

His letters to Jefferson Davis, of dates June 10 and 25, 1863, as we have already set forth, show the duplicity of the man in his dealings with the peace party in the North: that party was to be encouraged in the belief of peace with the Union restored; but Lee assures Davis that the South will be for a separate Government when peace comes; but, as he put it, "It is plain to my understanding that everything that will tend to repress the war feeling in the Federal States will inure to our benefit."⁵

We have called attention to his mock humility in his letters to "His Excellency" President Davis, and the use he makes of his family in bids for sympathy.

There are other glimpses of Lee, not generally known, which will be of interest to the reader who desires to learn the truth

³ If loyalty to Virginia is accepted as a justification of Lee, how can the conduct of Samuel Cooper be justified? He was born in New York in 1795, and was in the United States Army for forty-six years. Yet, he accepted the highest rank in the military service of the Confederacy, that of brigadier-general, and was the first one so appointed; later he was made a full general. He owed the same allegiance to New York State and to the United States that it is asserted Lee owed to Virginia and to the Confederacy. By acknowledged Confederate standards, Cooper and Lee could not both have been "honorable men"; by standards of loyalty to one's oath, neither was honorable.

⁴ Jones' *Lee*, p. 210.

⁵ O. R., Vol. 45, p. 930.

of Confederate history. A little passage between Brigadier-General J. J. Reynolds and General Lee has its amusing side, so we will cite the two letters which portray it.

On September 13, 1861, Lee sent a letter as follows:⁶

THE GENERAL COMMANDING U. S. TROOPS,
HUTTONSVILLE, VA.

GENERAL: It has been reported to the President of the Confederate States that Andrew J. Moore and Ellis Houchers, citizens of Pocahontas County, Va., were arrested about the 1st ultimo by a party of armed men and carried to your camp at the top of Cheat Mountain; that subsequently they were carried to your camp at Beverly; were there tried by a court-martial, condemned and executed. It is stated that the crime alleged against these men was the suspicion that they belonged to a party of eight who had two days before encountered a detachment of your troops on the banks of the Greenbriar River, when some of the latter were shot but in which encounter they had no participation. The reported execution of these men has been presented to the President in such a credible shape that I have been instructed by him to send to you under a flag a report of the case, and to require that you deliver to me as criminals the perpetrators of the act or avow your responsibility for the same.

R. E. LEE,
GENERAL COMMANDING.

To this haughty letter he received the following reply:⁷

HEADQUARTERS, SEPTEMBER 14, 1861.

GENERAL R. E. LEE,

COMMANDING CONFEDERATE FORCES IN TYGART'S VALLEY.

GENERAL: In answer to your inquiry relating to Messrs. Andrew J. Moore and Ellis Houchers (we have it Houchin) I have to say that the report of their trial and execution at Beverly is wholly unfounded. They were sent to Wheeling, Va., August 5.

I avail myself of this opportunity to state that the language of the latter part of your communication is exceptionable. "The perpetrators of the act" who carry out the sentence of a court-martial

⁶ O. R., Vol. 115, p. 1380.

⁷ *Ibid.*

could not be regarded as criminals in any sense, and the avowal of responsibility referred to would be an act of superfluity.

I have the honor to be, very respectfully, yours,

J. J. REYNOLDS,

Brigadier-General, Commanding.

These letters form an interesting contrast. Lee's is without a touch of that courtesy of which he was supposed to be the most perfect master. Reynolds', while being the retort courteous of a gentleman, yet administers a stinging rebuke, which Lee well deserved. There were other occasions wherein General Lee exposed himself to stinging rebukes from Union officers because of his violation of military courtesies, but this suffices for illustration.

On another occasion Lee was guilty of far worse military conduct: it was during the battle of Gettysburg. Lossing, in his *The Civil War*,⁸ describes the incident as follows:

At midday there was an ominous silence, during which General Lee entered Pennsylvania College building, which he was using for a hospital, ascended to the cupola, and, in violation of the acknowledged principles of honor in military life, stood under the sacred yellow flag which all civilized warriors respect as a protection to the sick and wounded, and where he was sure of safety from personal harm, and with his field-glasses leisurely reconnoitered Meade's position. His observations there determined him to aim his chief blow at Hancock's position on Cemetery Hill.

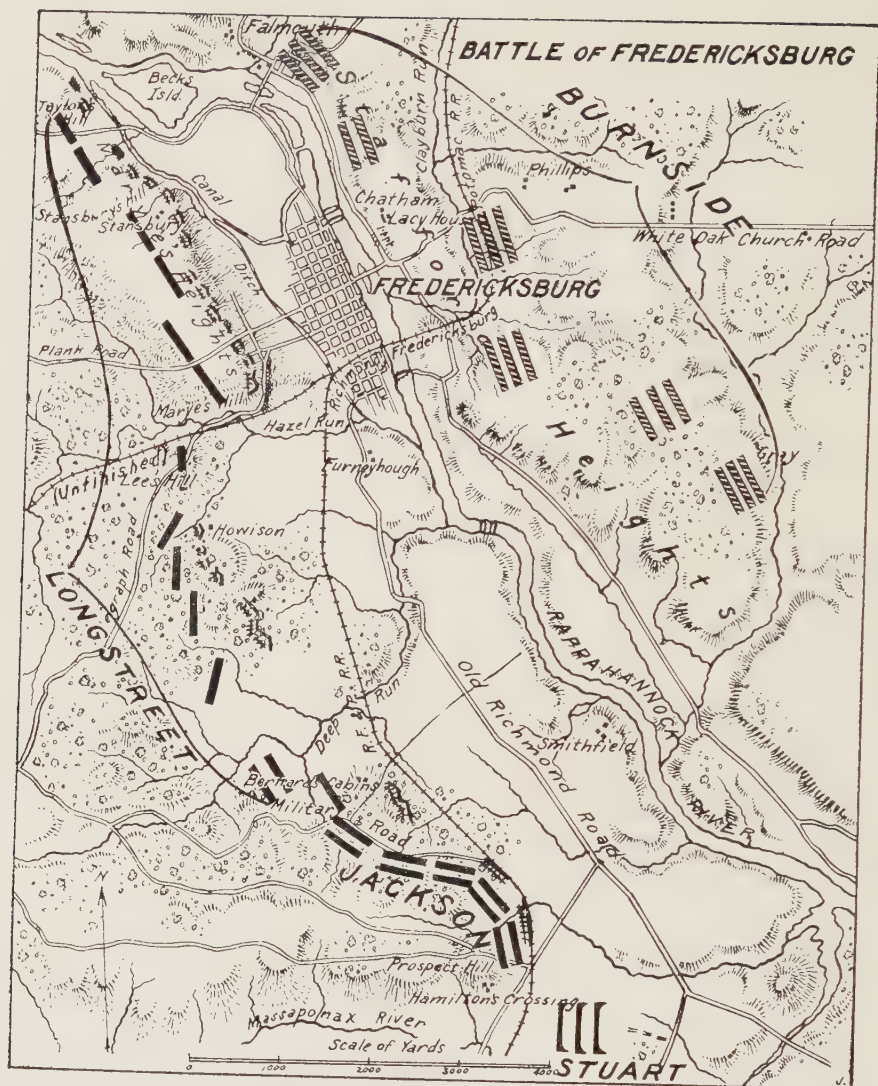
Hoke, in his *The Great Invasion*,⁹ also refers to this conduct of Lee, saying: "The General [Lee] during the succeeding two days, took observations from the cupola of the college. This building was occupied as a hospital, and had the flag denoting that service at the time he so used it."

Retribution was swift, for this flagrant and dishonorable violation of the accepted rules of warfare, as victory sat with the Union, and Lee's own troops were soon in retreat.

Lee's letters to his family indicated great concern over the plight of the citizens, particularly the women and children, during the time of the battle of Fredericksburg. "He re-

⁸ Vol. 3, p. 71.

⁹ P. 292.



MAP OF THE BATTLE-FIELD OF
FREDERICKSBURG

Made by the United States Government and reproduced from *American Campaigns*, by Matthew Forney Steele, when Major, Second United States Cavalry.

This map shows the position held and fortified by the rebels when, about December 12th, 1862, the Union army advanced to attack them. The rebel skirmishers, in the town, prevented the laying of the pontoon bridges across the Rappahannock River until driven out by the fire of the Union soldiers.

peatedly refers," says his son,¹⁰ "to the hardships so bravely endured by the inhabitants of Fredericksburg, who had been obliged to flee from the town, the women and children, the old and the feeble, whose sufferings cut him to the heart."

Lee says concerning the situation, in a letter on December 11, 1862:¹¹ "The enemy, after bombarding the town of Fredericksburg, setting fire to many houses and knocking down nearly all those along the river"; and, again, in a letter of December 26, concerning the inhabitants, he says:¹² "Many have lost *everything*. What the fire and shells of the enemy spared, their pillagers destroyed." (Italics in the original.)

No one questions the dreadful plight of the inhabitants of a town about which a battle is raging. Where Lee is deliberately misleading concerning the citizens of Fredericksburg, is in charging all their misfortunes resulting from this battle to the Union troops. The condition of the citizens of Fredericksburg would not have wrung his tender heart if he had been thoughtful enough to make a stand elsewhere than on "the hills," as he says, "commanding it."

It is also quite possible that all the rebel shells did not avoid the city, either, as they must have been aimed in that direction; that is, if Lee was firing at the Union troops opposing him. He selected the position that involved Fredericksburg.

Lee's report of the battle, December 14, 1862, shows that he was even more responsible than appears above for the woes of the citizens. He says:¹³

The plain on which Fredericksburg stands is so completely commanded by the hills of Stafford (in possession of the enemy) that no effectual opposition could be offered to the construction of the bridges or the passage of the river without exposing our troops to the destructive fire of his numerous batteries. Positions were, therefore, selected to oppose his advance after crossing. The narrowness of the Rappahannock, its winding course, and deep bed afforded opportunity for the construction of bridges at points beyond the reach of our artillery, and the banks had

¹⁰ *Recollections*, p. 87.

¹¹ *Ibid.*, p. 86.

¹² *Ibid.*, p. 88.

¹³ O. R., Vol. 31, p. 546.

to be watched by skirmishers. The latter, sheltering themselves behind the houses, drove back the working parties of the enemy at the bridges opposite the city. . . .

It will be noted that Lee's skirmishers used the houses in Fredericksburg as shelters in their attack, thus inviting and drawing the fire of Union soldiers to the "many houses" along the river to which he refers.

Upon Lee's shoulders rests the responsibility for any destruction wrought in Fredericksburg.

We are quite prepared for the reference to the pillaging by the enemy. It is in keeping with such statements of his, as in the case of Arlington, that it was polluted by the presence of Union troops.

These references bring out a phase of Lee's character that is most noticeable to anyone studying his attitude toward the Union and its defenders. He is totally lacking in any chivalric feeling toward a gallant enemy. We find no record of any such exhibition on his part of that finest form of chivalry, acknowledgment of the valor of an opponent. Instead, as we have shown, he constantly stooped to those false statements and innuendoes, which were meant to sully the reputation of our heroic preservers.

This lack of chivalric feeling is best shown in his farewell address to his troops after the surrender at Appomattox. We cite it: ¹⁴

GENERAL ORDERS, HEADQUARTERS ARMY OF NORTHERN VIRGINIA.

No. 9.

APRIL 10, 1865.

After four years of arduous service, marked by unsurpassed courage and fortitude, the Army of Northern Virginia has been compelled to yield to overwhelming numbers and resources. I need not tell the brave survivors of so many hard-fought battles, who have remained steadfast to the last, that I have consented to the result from no distrust of them. But, feeling that valor and devotion could accomplish nothing that could compensate for the loss that may have attended the continuance of the contest, I determined to avoid the useless sacrifice of those whose past services

¹⁴ O. R., Vol. 97, p. 744.

have endeared them to their countrymen. By the terms of the agreement officers and men can return to their homes and remain until exchanged. You will take with you the satisfaction that proceeds from the consciousness of duty faithfully performed; and I earnestly pray that a merciful God will extend to you his blessing and protection. With an unceasing admiration of your constancy and devotion to your country, and a grateful remembrance of your kind and generous consideration for myself, I bid you all an affectionate farewell.

R. E. LEE,
General.

Neither in this address nor in any other way have we discovered that Lee ever expressed appreciation of the magnanimous terms which the Union, which he had once professed to love so much, granted to him in defeat. He owed acknowledgment of it to his generous victors, concerning whom he had written an order which read in part: "A cruel enemy seeks to reduce our fathers and our mothers, our wives and our children, to abject slavery; to strip them of their property, and drive them from their homes."

Then, when "the cruel enemy" proved that not one word of this statement was true, that all that was asked of the rebels was that they lay down their arms; and that, on taking the oath of allegiance to the United States, they could, with a few notable exceptions in the beginning, become citizens again, with all the rights and privileges which pertained to the loyal, Lee was never man enough to acknowledge the falseness of his statements, nor the almost Christlike magnanimity of the victors. Such chivalry was entirely lacking in Robert E. Lee. Nor does he counsel his soldiers, in this farewell address, to resume their allegiance to their magnanimous Government. It was a fine opportunity "to lead the South back into the Union," but he left the word unspoken.

It is constantly asserted that Lee was not a citizen when he died. He was, it is true, one of the few exceptions not included in the first general amnesty. The Rev. J. William Jones, in his *Reminiscences of Lee*,¹⁵ says: ". . . and yet

¹⁵ P. 234.

this noble man died 'a prisoner of war on parole'—his application for 'amnesty' was never granted, or even noticed—and the commonest privileges of citizenship which were accorded to the most ignorant negro were denied to this *king of men*." (Italics in original.)

In passing, it should be remarked that General Lee endured no hardships during the time he was not a citizen. The privileges denied him for a time were those of voting and holding office.

The *Atlanta Journal* of May 23, 1925, says:

Whatever may be our opinions in the Southern States, sixty years ago, without exception, our fathers were marked down as 'rebels and traitors', General Lee himself dying five years after Appomatox, as 'a prisoner on parole', not even recognized as an American citizen.

The Stone Mountain Confederate Monumental Association, in its pamphlet, *Custodians of Imperishable Glory*, says on this subject;¹⁶

General Lee fought his battles and surrendered his army like a Christian gentleman; he gave his pledge that his men would lay down arms, and they kept his pledge, and he led the South back into the Union; yet for all his efforts to 'allay passion and restore peace' he died without citizenship in the Union he had saved in the most critical hour of its existence.

There is something extremely absurd in the phrase that Lee had saved the Union in the most critical hour of its existence. We all know that the boys in blue saved the Union in its crucial hour, and that Lee tried for four years to destroy it. But, we have cited the passage for its reference to Lee's lack of citizenship. If we accept these statements as true, then our Government has been guilty of gross impropriety in putting Lee's likeness on a coin of the United States, when he was not a citizen of the United States at the time of his death; but—If General Lee died as a prisoner on parole and without citizenship, it was because he did not care enough for

¹⁶ P. 35.

American citizenship to assume its rights and privileges; for, although he might have claimed citizenship by the President's Proclamation of July 4, 1868, his status is made absolutely clear by the presidential proclamation of December 25, 1868, which reads:

Now, therefore, be it known that I, Andrew Johnson, President of the United States, by virtue of the power and authority in me vested by the Constitution and in the name of the sovereign people of the United States, do hereby proclaim and declare, unconditionally and without reservation, to all and to every person who, directly or indirectly, participated in the late insurrection or rebellion, a full pardon and amnesty for the offense of treason against the United States or of adhering to their enemies during the late civil war, with restoration of all rights, privileges and immunities under the Constitution and the laws which have been made in pursuance thereof.

Lee died on October 12, 1870, and this proclamation was issued on December 25, 1868. For nearly two years, therefore, Lee was a citizen of the United States, and died in that condition, unless he refused the amnesty which, we are told, he sought. So, any bid for sympathy for Robert E. Lee on the ground that he died without citizenship should be rejected, as he does not deserve a tear: either he was a citizen, or he rejected the citizenship that was restored to him.

Again we remind our readers how weak is the cause which must rest its claims to sympathy on continual misrepresentations such as the one that Lee died without citizenship. It is surprising that the followers of Lee should so stress this point, when he himself rejected that citizenship in April, 1861, as worthless when compared with his citizenship as a Virginian.

We have not, in the limited field of our book, space to discuss the issues of any battle, but before we conclude this chapter we shall briefly summarize Lee's military career in the Confederacy:

His first efforts were in Western Virginia, where he was a complete failure; after that, he was sent South, to command the Department of South Carolina, Georgia, and Florida; in

March, 1862, he was in Virginia again; and for the next year, up to May 10, 1863, when Jackson died, he was generally successful; his foray into Pennsylvania, which culminated in the battle of Gettysburg, July, 1863, was a disastrous defeat; from that time on he fought purely on the defensive; at Appomattox he surrendered a complete army.

These are the salient points in his military career, concerning which several facts should be noted:

Although it is constantly denied, yet the fact remains that the brilliant and successful part of his career was when he had the ability of Jackson at his command. His right arm was withered in Jackson's death; his single aggressive effort after that was the Gettysburg battle, and he lost it.

It should be noted, too, that the battlefields with which his name is associated cover a limited territory. No other Southern general of major rank, or Northern general, either, with the possible exception of Meade, fought in so limited a territory; and, with all the boasted ability with which he is credited, two major objects he never succeeded in accomplishing: he never drove the enemy out of Virginia after they first set foot on its soil, May 24, 1861, the day after Virginia had seceded by a vote taken at the point of Confederate bayonets under command of Lee; and he never took Washington, which was one of the early aims of the Confederacy; his victories were always barren of permanent results for the Confederacy, and, after Gettysburg, he could not hold the men to his command, and they deserted the sinking ship of the Confederacy as he had, in 1861, deserted the apparently sinking Union.

In our presentation of facts, many of which have been systematically suppressed heretofore in order that Lee may appear noble and high-minded, we have shown that, while he was in touch with the conspirators to the extent that he could be relied upon to go with the Confederacy and was, therefore, appointed a brigadier-general, along with Joseph E. Johnston, on March 15, 1861—the highest military rank then authorized by the Confederacy—yet, while the schemes of the slaveholders were being concocted, Lee was in Texas, until February, 1861, and could not have been one of the leaders in the plot, unless his treason had a much earlier in-

ception than we now know, although he had made his decision before leaving San Antonio. Unless we credit him with a much earlier treason—a kind of treason which his adulators are anxious to deny for him, as shown by their efforts to make it appear incorrectly that he *followed* Virginia out of the Union—he can for no reason be honored for any false glory which may now be assumed to have belonged to those whose “high ideals” were the bases of the movement to destroy the Union.

Considering Lee’s true character, the present-day propaganda, which places him on a pedestal as the greatest figure in the Confederacy, is amazing. From the facts which we have briefly presented, it must appear strange to the calm judgment that Lee should have been selected as the exemplar of Confederate virtues. Instead of being ranked with other generals, he is even permitted to supersede Jefferson Davis and all the galaxy of able men, such as Stephens and Toombs, who gave to the Confederate cause whatever of vitality it had. The Confederacy had many able generals: Albert S. and Joseph E. Johnston; Nathan B. Forrest, who met with few defeats, though it is little known that he was utterly crushed by the Union general, James H. Wilson;¹⁷ Braxton Bragg, who was a competent man; John B. Hood, who met with no greater defeats than did Lee; and lastly, among their greatest, Thomas J. Jackson, who is allowed some reflected glory now and then by being named with Lee.

To understand fully the complete submergence of the other Confederates and the almost complete disregard of them in the exaltation of Lee, just suppose that General Grant, who was in command of all the Union armies a year before Lee became general-in-chief of the Confederate armies, should now be acclaimed as the leader of the Union cause; let us exalt him on all occasions as greater than Lincoln, or any of his cabinet; let us ignore the successes of Thomas, Sherman, Sheridan, and Meade and name only Grant. In doing so we would be doing exactly what the Lee propagandists are doing today and are asking others to do, though Lee was not, so

¹⁷ O. R., Vol. 103.

far as we know, a leader in the secession movement—but an early follower—and was successful from a military standpoint only in those brief months when “Stonewall” Jackson was his right hand. It is his unique distinction, however, to have permitted his army to become completely surrounded by the enemy, though there were no natural impediments to escape, and thus to have forced his own surrender with his surrounded army at Appomattox. History records no other general who accomplished a like feat.

The exaltation of Lee, to the exclusion of other really brilliant Confederate leaders, both civil and military, which has been proceeding quietly and effectively for years, has more recently increased so amazingly that the conclusion is inevitably drawn that those interested in spreading this propaganda must have a personal motive in suppressing damaging facts, and that motive is solely to remove the tarnish of treason from the name of Lee.

Were it otherwise, some of those who now laud Lee would certainly—by accident, at least—have stumbled upon some of the convicting evidence and would have made it public as “news” concerning him, instead of suppressing it. The identity of suppression of damaging facts is conclusive evidence that someone is interested, in season and out, in shoving Lee down the throats of the American public and is indifferent to the rest of the Confederates.

We do not believe that the Confederate sympathizers as a whole are consciously active in this widespread propaganda to aggrandize Lee at the expense of other Confederate leaders, many of whom were abler men and with sincerer motives.

But that there is an effective system in operation for the spread of Lee propaganda is evident to any general reader of today, for books and periodicals burst forth with articles about him to such an extent that it might be called a virulent epidemic; and yet, with all the publicity given to him, no new matter is printed, none of the damning data, so long suppressed, is given to the light of day. An interesting proof of the effective working of the system is supplied in the fact that a syndicated article, masquerading as a local editorial,

was published in the *Tallahassee* (Florida) *Daily Democrat* on January 6, 1930, and in the *Evanston* (Illinois) *News-Index* of January 7, 1930. This editorial entitled in both papers, *The Failure's Victory*, was identical, word for word, in each and adulatory of Lee in the extreme.

But for the determination to keep Lee's name before the public, much of the remaining bitterness of the Civil War might be forgotten; but loyal people, who long ago forgave the rebels when they resumed their allegiance to the United States, are not allowed to forget the treason of the Confederates, since they are constantly reminded of it by the continual parade of Lee's name in an effort to delude the public into believing that his disloyalty is as worthy of honor as is the loyalty of the greatest of those who successfully maintained the Union.

Having first "sold" to the Nation the premise that Lee was so noble that he could not foster any wrong idea in his soul, and, therefore, whatever he advocated must be right, it is then an easy conclusion, that, since Lee advocated the destruction of our Government and fought four years to this end, National destruction is a holy thing if it be labeled "State Rights," meaning thereby only "the right to secede."

All such propaganda (ignoring, as we have heretofore pointed out, the Articles of Confederation, which state that the Union shall be perpetual, and the Constitution, which was created to make the perpetual Union more perfect) is just as destructive to our Government in its purpose as is the communist teaching of the Soviet.

Lee did not believe in secession, but did nothing to stop it: he did not believe in slavery, but fought to make it perpetual in the slaveholders' Confederacy: he professed to love the Union, but defamed it when he had deserted it; he fought for four years to destroy the Government of the United States. In spite of his endeavors, the Union was maintained.

And, for his treason and for his unsuccessful efforts to overthrow our Government—in which efforts thousands of our loyal defenders lost their lives and other thousands were maimed—and, in spite of his lack of citizenship as falsely

claimed by his adherents, our Government has honored him in his disloyalty by putting his likeness on a coin of the United States; and this same Government has failed to reward the patriotism of that truly great Virginian, George H. Thomas, by any such tribute.

We challenge anyone to name a single act or word of Lee in the crucial hour of our Government's existence through which he could be called a patriot, or which justifies any recognition of him by those who love our country—which is still one and indivisible, in spite of the efforts of Robert E. Lee.

CHAPTER XXXV

THE ATTITUDE OF DISTINGUISHED MEN OF TODAY TOWARD THE CONFEDERACY AND ITS LEADERS

It was our purpose in writing this book to show just what the Confederacy was, to present the truth of Confederate history, and to show, also, just what manner of man the assumed leader, Robert E. Lee, might be.

We have shown that in its inception slavery was the basis of the Confederacy; that in its Constitution, laws, and practice, State Rights and State Sovereignty had no shred of existence; that it was in no sense the result of a popular movement; that, within, it was torn with dissension; that desertion, conscription, impressment, and Confederate pillaging were agents which tore down the frail structure of the Confederacy faster than the ringleaders of the rebellion could upbuild; that Union sentiment was always strong within the Confederacy, and, though crushed and suppressed, could not be killed, and that, as the true intent and purpose of the rebellion became known, this Union sentiment increased, and that Confederate sentiment waned.

There have been but two reasons alleged for the secession movement. The true one concerned slavery; the false one was State Sovereignty. Whosoever honors the Confederacy must honor it for one of these two reasons: that it stood for human slavery; or, that it stood for State Sovereignty, a principle so destructive to permanency in government that it was rejected by the builders of the Confederacy themselves.

Those who honor Lee affirm thereby that it is honorable to desert one's flag; that it is honorable to take the oath of allegiance to one nation, while purposing to support another government; that it was honorable for a man to take arms against his native State in order to force it out of the Union; that it was honorable to connive with those who planned to

overthrow the Government, while wearing the uniform of that Government; that it was honorable, after admitting slavery to be an evil for both the black and white races, to urge the arming of slaves, that thereby their fellows might be kept in perpetual bondage; that it was honorable to defame the defenders of the Union; that it was honorable to make no acknowledgment of the magnanimity of our Government in the terms of surrender.

All these things are acknowledged in honoring Lee and the Confederacy.

It is interesting to note the distinguished men who have in recent years paid homage to this "stainless cause" and its leader. It is done so persistently and with such unanimity within a limited but conspicuous group that it can but lead to the conclusion that there is method in those who honor that which was subversive of those principles upon which our Government is founded—Liberty and Union.

It is a fact not generally known that William Howard Taft, once Republican President of the United States, and later Chief Justice of its Supreme Court, was an honorary associate member of the United Daughters of the Confederacy. He was given this distinction at their meeting in Washington, November, 1923.¹

While President, Mr. Taft had the right to appoint a Chief Justice of the Supreme Court. Senator J. B. Foraker discusses this appointment in a most interesting manner. He says:²

His appointment of Chief Justice White, a Southern Democrat and an ex-Confederate, and an Associate Justice of the Supreme Court, in this last respect breaking all precedent, was a great disappointment to thousands of Republicans. . . .

I happened to be in Washington a few days after the appointment was made. I called at the White House to pay my respects to the President. In the course of the conversation that followed he asked me how I liked the new Chief Justice. I answered that I was sorry he had asked me the question because I felt compelled to tell him in answer that I could not help wondering, when I

¹ *Confederate Veteran*, January, 1924, p. 31.

² Foraker, *Notes of a Busy Life*, Vol. 2, pp. 404-5-6.

read of his induction into office, how my old comrade of the Army of the Cumberland, Mr. Justice Harlan, must have felt when administering the oath to him. The President remarked, "Oh, Senator, the war is over!" to which I rejoined, "Yes, I know the war is over with a great many people, but I know, also, that with most of these the war never commenced."

President Taft thereupon invited Senator Foraker to a dinner in honor of the new Chief Justice. At this dinner the Senator met Mr. Justice Harlan, and he reports the conversation thus:

In the course of my conversation with him I remarked that I had tried to imagine how he felt when swearing into office the new Chief Justice. "On this hint he spake," and told me that he felt deeply disappointed when the President, after he concluded to appoint an Associate Justice, passed him by and selected one so much his junior in service and, as he thought, less entitled by their past records to such a recognition at the hands of a Republican President; but he said, straightening himself up and evidently feeling every word he spoke, "I was careful to wear on that occasion my Loyal Legion button, and I took pains to so stand before him that he could not help but see it; and when I read him the oath I placed emphasis on the requirement that he should uphold the Constitution.

Justice Harlan had experienced one of those rewards of patriotism with which the Union soldier is honored; and President Taft had given visible, tangible, evidence of preferring in honor a Southern, Democratic Confederate to a Republican Union soldier. Was it for such meritorious conduct that he was awarded honorary membership in the United Daughters of the Confederacy, an organization whose sole purpose is to honor those who sought to destroy this Government?³

³ Mrs. L. M. Bashinsky, President-General of the United Daughters of the Confederacy, in a message to that organization, published in the *Confederate Veteran*, May, 1930, answers this question, thus:

Learning through the Press that Chief Justice Taft, because of his serious illness, had returned to his home in Washington, we immediately wrote expressing your admiration for him, gratitude for the courtesies and recognition given this organization when as Secretary of War he issued the order which made it possible to erect in the National cemetery of Arlington our monument to the South's heroic Dead, and as President welcomed our Convention to Washington in 1912.

The *Congressional Record* of January 19, 1926,⁴ contains a speech by Representative Lowrey of Mississippi, urging the restoration of Arlington as a memorial to Lee, to whom he refers as "the most stainless of earthly commanders, and save in fortune, the greatest." We are indebted to this speech for information concerning the views of another Republican, Edwin Denby, Secretary of the Navy under President Harding. Concerning him, Lowrey says: ". . . and Secretary Denby said publicly in a southern city, 'I am a northerner, but first I am an American. You cannot take from me my pride in Lee and Jackson and Pickett, and your own immortal Forrest.'"

When we remember what Lee was, we can but marvel that Denby, as an American, can be proud of a man who rejected the title of American for the sectional one of Virginian. During the Seventieth Session, Mr. Lowrey also occupied much time and took much space in the *Record* in heaping adulation on Robert E. Lee; and there were many other laudatory references to him in Congress during the Harding-Coolidge administrations.

President Harding himself gave visible support to the honoring of the Confederacy in a letter to Hollins Randolph, head of the Stone Mountain Confederate Monumental Association, on April 16, 1923, part of which is published in the Stone Mountain Association pamphlet, as follows:⁵

The imagination runs riot at the thought of such a panorama in granite. Yet even more appealing, to me, is the thought that the time has come to our Nation when the President may, with the completest concurrence of a united country, and with sincerest approval, share your pleasure and extend his aid in making such a monument possible. It will be one of the world's finest testimonies, one of history's most complete avowals, that unity and understanding may be brought even into the scene where faction, hatred and hostility have once reigned supreme. I have the greatest pleasure in wishing to the people of the South not only complete success in this great work, but the co-operation they so well deserve from Americans everywhere.

⁴ P. 2042.

⁵ P. 9.

Although the letter from which this quotation is taken was published in full in Southern newspapers, it was not given publicity in the North. The statement from another Republican President is valuable, as it concerns the Confederate memorial on Stone Mountain, and approves of presidential aid in memorializing a cause which stood for human slavery, and which claims to have stood for that destructive principle of government—that the part is greater than the whole—State Sovereignty. About this same time President Harding vetoed the pension bill for Union soldiers, lest by aiding them he should reward their patriotism.

We do not believe that the American people as a whole accepts as a basis of unity that either slavery or State Sovereignty was right; or that to honor a cause which stood for these issues is patriotic or loyal to the principles of Liberty and Union.

A Republican Vice-President of the United States has also given substantial and tangible evidence of his interest in honoring the Confederacy. The secretary of Charles G. Dawes, writing, on behalf of the Vice-President, to the Spinners' Memorial Coin Club of Rome, Georgia, says in part: ⁶

It was the pleasure of the vice president to visit Stone Mountain last October while in Atlanta, and he was greatly impressed with the memorial as contemplated by the southern states. To assist in this work he desires to purchase ten of the memorial coins, and I herewith inclose his check for \$10.

The letter, as quoted in the *Atlanta Journal*, does not state whether this contribution was made because he thought the Confederacy was right, or because he thought it was wrong; but it is interesting that the son of the one-time commander of the famous Iron Brigade pays tribute to the Slaveholders' Confederacy.

Under the auspices of the United Daughters of the Confederacy, a statue of Alexander H. Stephens, representing the State of Georgia, was unveiled in Statuary Hall in the Capitol at Washington on December 8, 1927. He is given this

⁶ *Atlanta Journal*, April 12, 1926.

honor in his capacity as Vice-President of the slaveholders' Confederacy. On behalf of the United States Government, Vice-President Dawes—presumably because he held the office of Vice-President in the Union—accepted the statue of Stephens. But, for some reason, the Republican Vice-President adroitly avoided stating that it was the Vice-President of the Confederacy he was honoring, though he was so honoring him in fact.

Senator William M. Butler, Chairman of the National Republican Committee for several years, was held in so high esteem by the Stone Mountain Monumental Association that he was elected a director of that body in May, 1925.⁷ On May 20, 1925, we wrote to Chairman Butler and asked whether he received this appointment because he thought the Confederacy was right or because he thought it was wrong; but, up to date, we regret to say that we have received no answer. We conclude that he does not know whether he thinks the Confederacy was right or wrong; nevertheless, we have observed that his name is omitted from the list of directors published in the Stone Mountain Confederate Monumental Association pamphlet.

Now, at the same time that Senator Butler was appointed as a director of that Board, another Republican was also appointed, former Governor Frank O. Lowden, of Illinois. Before his appointment, Governor Lowden had given tangible approval of the Confederacy and its leaders, in a speech before the United Daughters of the Confederacy General Convention at Savannah, Georgia, in November, 1924. (This speech is obligingly set forth by Congress in the *Congressional Record* of February 6, 1925.) Governor Lowden was introduced to the audience as an "artistocrat, plutocrat, democrat," and also as "the best man the Republican Party ever had in view for the presidency."

In his speech, Governor Lowden took occasion to pay tribute to the god of the Confederacy, saying: "When I visit Richmond and gaze upon the statue of Robert E. Lee, that masterpiece of art, I like to think that the knightly figure there

⁷ A. J., May 12, 1925.

portrayed was a countryman of mine, and that I have a small part in the immortal fame that has come to him."

Governor Lowden also said, speaking of the Stone Mountain monument, to Hollins Randolph, the president of the Memorial Association: "Standing there in front of the mountain, gazing up at the mighty wall of granite, picturing in my mind the colossal figures of Davis, Lee and Jackson, which are taking form, I felt a great thrill of pride that these men, whose portraits in stone will endure as long as the earth endures, were Americans."

It seems strange, as we have already noted, that any one should be proud of these men as Americans, when they denied the title and repudiated Washington's advice: "The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discrimination."

Governor Lowden went further in his conversation with Randolph, and is quoted as saying:⁸ "If in that work there is any way in which I can be of service or assistance, I will be disappointed and aggrieved if you do not call upon me."

So, rather than disappoint the Republican former Governor of Illinois, at the same time they appointed Senator Butler as a director, Governor Lowden was appointed, and accepted in a letter⁹ in which he said that the monument would be "a source of inspiration to uncounted generations of the children of men"; and he is listed in the Stone Mountain pamphlet as one of the directors. We asked Governor Lowden, in a letter, whether his belief that the monument would be a source of inspiration to uncounted generations was based on the idea that the Confederacy was right or that it was wrong. Like Senator Butler, Governor Lowden has not as yet answered our question.

Other distinguished men have paid tribute to the treason of Lee: General J. J. Pershing laid a wreath of ivy on the tomb of Lee at Lexington on June 19, 1920. *The Rockbridge County News* of Lexington, Virginia, gives General Pershing's remarks on that occasion, as follows:

⁸ A. J., Nov. 20, 1924.

⁹ A. J., May 11, 1925.

Nothing could come to one that would arouse a deeper sentiment than to be classed as I have been with the name of Lee. The world has come to know that he who had long been ranked as one of its greatest soldiers was also one of its greatest characters: one whose life will go down as a model for the young manhood of the world. His name is cherished throughout the United States as belonging to all of us, and one of our greatest leaders. I can only say to my comrades in the great war, that I hope they will emulate in life the principles for which he lived as they emulated his conduct on the field of battle.

This, coming from the highest officer in the United States Army, was most singular, for one of the principles he thereby advises the American soldier to follow is, not only to desert his flag and his country in time of peril, but to seek to overthrow it, on the flimsy excuse that he owed a super-allegiance to some other government, when taking the oath of allegiance to the United States. A dangerous and destructive principle to follow!

General Pershing paid this tribute, as we have stated, on June 19. We cannot assert that this had any connection with the National Democratic Convention held from June 28 to July 6, following, but there are those who draw unkind conclusions.

We have referred several times to President Coolidge's specific reference to Lee, wherein he said he was "marked with a purity of soul and a high sense of personal honor which no true American would ever stoop to question." He made this statement on April 27, 1922, when he was still Vice-President, and since his elevation to the Presidency he has consistently honored the Confederacy and its leaders. Following the examples of Presidents Wilson and Harding, on the Sunday before Memorial Day, when the Northern pulpits were occupied by godly men who honored the valor of the Union soldiers in maintaining the Government, President Coolidge addressed the Confederate soldiers at Arlington, and laid a wreath on the Confederate monument, saying that "except for the forces of Oliver Cromwell no army was ever

more thoroughly religious than that which was commanded by General Lee.”¹⁰

Even if his statement were true, this did not make the cause for which Lee's men fought a righteous one, or justify a President of the United States in honoring them in their capacity as rebels. But we have seen that Lee's army deserted and pillaged, and that it had to be conscripted, just as in the case of the rest of the Confederate troops. That there was also valor and religion present in part of his troops, we would not deny; but the records do not prove that there was an excess of either over the other Confederate troops, or over the Union troops.

With this tangible honoring of the Confederacy, it is not surprising to find that President Coolidge had vetoed the pension bill for the Union soldiers a few short weeks before, with the terse comment, “I am for economy.” Nor is it surprising to find President Coolidge pictured on the front page of the *Confederate Veteran* for February, 1928, standing between two fully-displayed Confederate flags, no flag of the Union being visible.

It will be noted that, with the exception of General Pershing, the men we have cited as honoring the Confederates—not in their later loyalty but in their character as traitors—are all Republicans. Republicans!—whose first rise to power as a party was the immediate cause of the attempt to dissolve the Union by the Confederates!

That there is a deep-seated reason for this conduct, we purpose to develop, for we cannot believe that, as Republicans, they believe in disunion, slavery, and State Sovereignty.

As we have shown in the Prologue, the honoring of the Confederacy has not been confined to words. Resolutions have been adopted and laws enacted whose sole purpose was to recognize the defunct slaveholders' Confederacy; and chief of these was the traitor coin law, passed by a Republican Congress and signed by a Republican President. The facts concerning this law are of vital importance to the public: we therefore discuss it in our next chapter.

¹⁰ *National Republican*, May 31, 1924; *Chicago News*, May 26, 1924.

CHAPTER XXXVI

THE TRAITOR COIN

On December 10, 1923, Senator Reed Smoot of Utah introduced into the Senate a Bill, and on January 11, 1924, Representative L. T. McFadden, of Pennsylvania, introduced into the House the same Bill, which authorized the issuance of coins commemorating the commencement of work on Stone Mountain and also commemorating President Warren G. Harding. This Bill was called up in the Senate by Senator Smoot on March 6, 1924, and was passed unanimously. It was called up in the House by Representative A. H. Vestal of Indiana on March 11, and passed unanimously. The President, Calvin Coolidge, approved the Bill on March 17, 1924, and it became a law, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the commencement on June 18, 1923, of the work of carving on Stone Mountain, in the State of Georgia, a monument to the valor of the Soldiers of the South, which was the inspiration of their sons and daughters and grandsons and granddaughters in the Spanish-American and World Wars, and in memory of Warren G. Harding, President of the United States of America, in whose administration the work was begun, there shall be coined at the mints of the United States silver 50-cent pieces to the number of not more than five million, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 2. That the coins herein authorized shall be issued only upon the request of the executive committee of the Stone Mountain Confederate Monumental Association, a corporation of Atlanta, Georgia, and upon payment by such executive committee

for and on behalf of the Stone Mountain Confederate Monumental Association of the par value of such coins, and it shall be permissible for the said Stone Mountain Confederate Monumental Association to obtain said coins upon said payment, all at one time or at separate times, and in separate amounts, as it may determine. [Section 3 of the law, concerning the counterfeiting of such coins, is omitted.]

Concerning the enactment of this law, the Southern press has been fond of saying—and saying truthfully—that it was passed without a dissenting vote. The *Atlanta Journal* of May 22, 1925, says:

There is no parallel in the annals of nations to our Government's issuing the Confederate memorial coins "in tribute to the valor of the soldiers of the South." For pure magnanimity it is unexampled. A Republican Congress unanimously passed and a Republican President freely signed the act under which the rare encomium was paid; and they did so within the life span of men who strove on the reddest and darkest of fields in the War Between the States.

In another editorial, the *Atlanta Journal* says:¹

The memorial coins will bear on one side images of Jefferson Davis, Robert E. Lee, and Stonewall Jackson, and on the other a likeness of the lamented President Harding. In providing for their issue the Congress has honored itself and the country, as well as the South; and in thus paying tribute to Confederate heroism has exalted American ideals.

The *Birmingham News* says:²

Perhaps never in the history of the world has a government, sixty years after its foes endeavored to destroy it, paid tribute to their valor by issuing a special coin in honor of those foes.

It will be seen from such statements that the law is accepted as a tribute to the Confederacy; and the law itself shows that it is concerned only with the "valor of the sol-

¹ March 14, 1924.

² A. J., August 2, 1925.

diers of the South," who are commemorated by the Stone Mountain Memorial.

Now, so many singular things are connected with the enactment of this traitor coin law, and the minting of the coins, that it is just that the public should be informed concerning them.

It is assumed, because the law was enacted without a dissenting vote, that Congress was expressing the will of a united people in passing it.

The first singular fact to be noticed is that the introduction of the Bill into Congress, its later passage in both Houses, and its approval by the President, were all accomplished with perfect silence on the part of the Northern press, and even the *National Republican*, the voice of the Republican Party, was silent concerning this deed of pure, unexampled magnanimity on the part of Republicans. While the Southern press was loud in praise, the Northern press was silent. Thus, so far as any interested people in the North were concerned, they had no chance to object, for they did not have the opportunity to learn that such a law had been introduced, passed, and approved.

But, one Union soldier, who was in the South, learned of the Bill, and on March 6, 1924, wrote to Senator Smoot and to Congressman McFadden, as follows:

I have noticed that you have reported favorably on a bill to secure the approval, by our government, of the slaveholders' rebellion by coining fifty-cent pieces commemorating the Stone Mountain Memorial, such coins to have upon them the figures of Jeff Davis and other leaders of the endeavor to destroy our government, to the end that human slavery might be perpetuated and extended.

If this is a patriotic endeavor, which so honors traitors, then Lincoln was a tyrant, slavery should be re-established, and we Union soldiers should be hanged for crushing the rebellion.

So it seems to a survivor.

If this movement were intended only to assist in providing money to build a monument to treason, it would be bad enough, but it also encourages disloyalty in the growing generation and in

newly enfranchised of foreign birth, who are thereby led to believe that treason is as honorable as patriotism.

Very respectfully,

S. F. STEWART.

Senator Smoot replied on March 11, 1924:

This will acknowledge receipt of your letter of March 6, 1924, relative to the coinage of 50 cent pieces commemorating the Stone Mountain Memorial.

I do not know what figures will be upon the coin, but before reporting the bill favorably, we requested that a responsible party should guarantee to the government to take every piece coined. The Government will make some money from the coining of these pieces. There has in the past, been no objections to the coining of 50¢ and dollar pieces in commemorating some national event.

The Union soldiers have had no better friend than myself and I can assure you that in introducing the bill, I had no thought whatever of casting reflection upon the Union soldiers that saved our country.

There are three interesting ideas presented in this letter: first, Senator Smoot knew the exact nature of the bill; second, he thought it all right to issue coins in commemoration of those foes who sought to destroy our Government, as the *Birmingham News* accurately put it, provided some money could be made thereby (we recall another man who was concerned in a betrayal for thirty pieces of silver); and, lastly, Senator Smoot announces that the Union soldier has no better friend than he. In proof whereof, he voted to sustain the President's veto of the Bursum Pension Bill less than three months later.³ The bill was lost by one vote.

We, perhaps, should not be too hard on Senator Smoot, for he has an inheritance of opposition to our Government in the Civil War years. The *Records* bear witness of this: one sentence from the report of Brigadier-General P. Edw. Connor, Commanding the District of Utah, puts it tersely. He says, July 12, 1864:⁴ "The people of this Territory, under

³ *National Tribune*, June 5, 1924.

⁴ O. R., Vol. 106, p. 899.

the implicit guidance of Brigham Young, are steeped in disloyalty and omit no opportunity of making display of it and injuring the Government by every means in their power."

In spite of the Union soldier's protest, pointing out the significance and effect of such a law, it passed both houses, and the soldier then wrote to the President, Calvin Coolidge, asking that he veto the Bill. The letter, dated March 13, 1924, is as follows:

DEAR MR. PRESIDENT:

I am writing to ask you to veto the bill which would authorize the coining of fifty-cent pieces intended to commemorate the Stone Mountain Memorial, passed by the House on March 11th.

My objections to such law are as well stated in a letter I wrote to Senator Smoot as I can so briefly state them.

In his reply to me Senator Smoot says, among other things, "I do not know what figures will be upon the coin," and this may explain why such a loyal man as he would approve the bill. I venture to say that every southerner on that committee knows what figures will be on it.

Senator Smoot also says: "There has in the past been no objections to the coining of 50¢ and dollar pieces in commemorating some national event."

If the southerners understand that such is the policy of our Government, we will soon have coins commemorating the battles of Bull Run and Fredericksburg and other rebel victories.

If Republican congressmen believe that the policy of conciliating the south, which this bill seems to indicate, will ultimately secure electoral votes or congressmen from this part of the country [Tallahassee, Florida], they are doomed to disappointment and have much to learn. That will not happen until, first the negroes leave the south, or, second, effective laws are enacted to enforce the provisions of the 14th Amendment to the Constitution.

I inclose a copy of the letter I sent to Senator Smoot.

Very respectfully,
S. F. STEWART.

In the light of what we now know of the sympathetic attitude of the President toward the Confederacy, it does not surprise us that he gave tangible expression to it by signing the Bill. His record at that time is very interesting: he

signed the Bill honoring the foes of this Government on March 17, 1924; on May 3 he vetoed the Bursum Pension Bill for Union soldiers and their widows; on May 15 he vetoed the Soldiers' Bonus Bill, with the statement "Patriotism cannot be bought or sold," with all its unpleasant implications; on May 25 he laid a wreath on the Confederate Monument in Arlington and spoke words of praise. In his statement that "Patriotism cannot be bought or sold," he seems to assume that any reward to patriotism is buying it; but he has no such compunction when it comes to honoring treason and rewarding it by financing a memorial to it.

His conduct at that time gives us a complete understanding of the former President's attitude as between the loyal and the disloyal.

But, so far as publicity was concerned, there was none in the North, so that when Harry Stillwell Edwards says,⁵ "For the whole body of the people to the North and West of us [Atlanta] through a Republican administration to put into circulation a coin bearing the figures of the two outstanding generals of the Southern Confederacy, is to accord to them the highest honor and recognition," etc., he is attributing to the people an act concerning which they knew nothing and were purposely kept in the dark, apparently because there was something about it that would not bear Northern sunlight and publicity, and would not seem an act of unparalleled magnanimity in the history of nations.

Before we pass to other singularities, we will shed a little light on the inception of this scheme to have the United States Government finance a memorial to those who repudiated it and sought to destroy it. Some facts are made public in the *Atlanta Journal* of February 22, 1925, in an open letter to Hollins Randolph written by Harry Stillwell Edwards, mentioned previously, who reveals himself as the author of the plan.

The situation which caused him to evolve the idea is described in the Stone Mountain pamphlet as follows: "When the administration [of the Stone Mountain Confederate

⁵ A. J., May 6, 1925.

Monumental Association] elected at the 1923 annual meeting took charge of affairs, they found a situation anything but promising. There was no money in the association treasury, there was an accumulation of debts amounting to \$22,000, and there was a general public doubt as to the feasibility of the project.”⁶

The proponents of the memorial had been making desperate efforts to raise money, but the Southerners as a whole manifested a great indifference to the memorial. It was a scheme that originated with the United Daughters of the Confederacy, but which they felt unable to carry out; so a separate organization had been established, encouraged by the United Daughters of the Confederacy. That they did not voice the feeling of the whole people of the South, is shown by the lack of response to appeals for financial aid, which this would-be dominant and loud minority raised. As the records of the Civil War show that the aims of the Confederacy did not appeal to the rank and file of the Southerners when its true purport was known, so this Stone Mountain memorial does not appeal to the Southerners at large today.

In this crisis, Mr. Edwards says he conceived the scheme, in the late summer of 1923, of a memorial coin to be sold at a profit, for the purpose of financing the memorial to the Confederacy.

Mr. Edwards develops the fact that Mr. Randolph drew the Bill, but that he, Edwards, altered it in phrase at one point, “to give wider scope to the memorial and to invoke a broader sympathy, while, at the same time, lessening the danger of attack from extremists among politicians.” Mr. Edwards’ Bill suggested the issue of 10,000,000 coins; but the number was cut to 5,000,000, which, in the light of subsequent events, was fortunate.

Mr. Edwards’ letter continues:

Soon afterwards I went to Washington with a committee composed of yourself and other officers of the association, and there we were joined by Mr. Gutzon Borglum. It was deemed important to get Mr. Coolidge’s views on the bill before beginning

⁶ P. 9.

an active campaign with Congress, and I arranged with my friend, Bascom Slemple, secretary to the President, for an interview for the whole party. We found the president amiably receptive of the enterprise, and when we left him we were convinced that he would raise no objection to the bill, if it came to him for official approval from Congress. It had been expected that Senator Pepper would introduce the bill in the Senate, but after a conference with the president it was sent to Mr. Smoot for introduction, and to Mr. McFadden in the House.

Mr. McFadden, when questioned by the Union soldier, said, in a letter of September 18, 1924, some six months before Mr. Edwards' informatory letter was published in the *Atlanta Journal*: "I introduced this bill at the suggestion of my friend of many years standing, Mr. Gutzon Borglum, the great American sculpture (*sic*), who is doing the work on Stone Mountain. There is no attempt at concealment or misrepresentation in this matter. The bill shows on its face plainly what was intended."

It is thus apparent that Mr. McFadden knew what he was sponsoring when he introduced the Bill. This is interesting, taken in connection with our further information on the subject.

We regret that Mr. Edwards did not state in his open letter to Mr. Randolph just what was the alteration in phrasing which he made in the original draft of the Bill: there are only two broadening ideas in it: the grandchildren clause, and Warren G. Harding. We presume that it was the addition of President Harding's name which Mr. Edwards suggested, since he made the change "to lessen the danger of attack from extremists among politicians," and certainly President Harding's name served no other purpose, as we shall see later.

It is also worth noting here that C. Bascom Slemple, secretary to the President during these negotiations, was the son of a Confederate soldier. This fact is just another touch of local color in the picture of President Coolidge's prejudice in favor of Confederates.

Mr. Edwards' letter is an interesting account of the inception of the plan for the traitor coin. We have one other bit

of light concerning it, before it became a law. The Committee on Finance, in recommending to the Senate that the bill do pass without amendment,⁷ attached a letter from the Secretary of the Treasury, A. W. Mellon, as a recommendation for its passage. Mr. Mellon's letter, February 21, 1924, is as follows:

DEAR SENATOR SMOOT: With reference to my letter to you of January 16, 1924, in connection with the proposal to issue special half dollars to commemorate the commencement on June 18, 1923, of the work of carving the Stone Mountain Monument, in which I have said the purpose of the issuance of this coin is most worthy, I have now been advised that the banks will purchase from the Mint all of the coins made under the proposed act and it would appear that there would be no waste, but that the coinage will be absorbed.

My objection to the bill had been based solely upon the fear that the act might prove an unnecessary expense to the Federal Government. In view of the assurance that such will not be the case and since there appears to be a real demand for these coins from the people of 14 States of this country, I shall be glad to express my approval of the proposed bill.

(It seemed, while reading this letter, that we caught the faint jingle of thirty pieces of silver! And later this faint jingle swelled into a mighty pæan when it was learned, from a speech on the floor of the United States Senate,⁸ that the Mellon interests control the Gulf Refining Company, one of the three largest oil corporations, whose operations are carried on mainly in the former Confederate and border slaveholding States!)

A second singularity of the law is the fact that when Senator Smoot asked unanimous consent to consider the Bill, on March 6, 1924, he said: "If it leads to any discussion whatever, I shall not ask the Senate to give consideration to it." It is not surprising that the Bill, if its true purport were known, would not bear discussion; but it is surprising that such a Bill should be introduced into Congress.

⁷ Senate Report No. 196, 68th Congress.

⁸ *Congressional Record*, March 19, 1930, p. 5836.

Another singularity concerning this law is, that the group who, aside from the Confederate sympathizers, would be most interested in such a Bill, were left in complete ignorance. We refer to those men who, for four long years, fought under the Stars and Stripes, to the end that this Union should be maintained.

At first, when, by word of mouth and by letters, the news was brought that such a law had been enacted, they doubted it. They had faith in the Government, the Republican Administration, and the Republican Congress, even though their appeal for the much-needed increase in pensions had been denied. But copies of the law showed them that their faith had been founded upon the false.

They have received virtually no publicity in their determined opposition to this law authorizing the traitor coin, and for their desire to have the law repealed. A few sporadic loyal papers in the smaller towns gave publicity to the endeavors of the Union soldiers to have the law repealed, both before and after the coin was minted; but the same invisible influence that was powerful enough to suppress information in the North concerning the law in its enactment, was powerful enough to suppress information concerning opposition to it.

So these veterans had to resort to letters and to the mailing of resolutions in order to inform one another that a law had been passed by Congress through which a memorial to those who fought for the perpetuation of slavery and for the overthrow of the Government would be financed.

The first information received by most of the Grand Army posts in the United States was contained in resolutions adopted by the Grand Army of Illinois, as follows:

HEADQUARTERS DEPARTMENT OF ILLINOIS
GRAND ARMY OF THE REPUBLIC

MEMORIAL HALL, CHICAGO, JUNE 26, 1924.

Resolutions Concerning the Stone Mountain Confederate Monumental Association and the 50-Cent Memorial Coins Authorized by Congress

At the 58th Annual Encampment of the Department of Illinois,

Grand Army of the Republic, at Champaign, Illinois, on the 19th day of June, 1924, the following resolutions were presented by Past Commander Calhoun, Chairman of Committee on Resolutions, as having been sent by U. S. Grant Post, No. 28:

"Whereas, By a law of Congress, approved March 17, 1924, the Director of the Mint was authorized to issue 5,000,000 memorial fifty-cent pieces, which coins, when so issued, are to be turned over to the Stone Mountain Confederate Monumental Association of Atlanta, Georgia, the profits from the sale of such coins to be used in carving out of said Stone Mountain a monument, the prominent features of which shall be the figures of Jeff Davis, Robert E. Lee and Stonewall Jackson, three traitors, who are to be thus honored and commemorated because they were leaders in the endeavor to destroy our government in order that human slavery might be perpetuated, and

Whereas, In 1865, when they had laid down their arms, we forgave the rebels, but we did not forgive their rebellion nor their treason, which time has not changed any more than it has changed the treason of Benedict Arnold or Judas Iscariot, and as such treason and such traitors cannot be so honored without dishonoring and insulting the men, living and dead, who fought to maintain the Union and who crushed the slaveholders' rebellion, and believing that such law was enacted without fair consideration of its effect, therefore, be it

Resolved, by U. S. Grant Post, No. 28, G. A. R., Department of Illinois, that we respectfully ask Congress to repeal such law, and further ask that, if any such coins must be issued before the law can be repealed, there be placed on them only the figures of persons who were always loyal to the Union. And be it further

Resolved, that our Post Adjutant is hereby directed to send a copy of these resolutions to President Coolidge, the President of the Senate, the Speaker of the House, the two Senators from Illinois, our Member of Congress and the Secretary of the Treasury."

And on motion of Past Department Commander Calhoun, duly seconded, and after discussion, the said resolutions were unanimously adopted.

HENRY C. COOKE,
Assistant Adjutant General,
Department of Illinois, G. A. R.

After this knowledge was disseminated by mail, local posts and State and National Encampments voiced their opposition by letters and resolutions sent to Congress. But their efforts reached deaf ears, attuned only to hear a mightier, but invisible power.

This is the culminating reward of patriotism: to see the disloyal honored, and to have the loyal dishonored and ignored!

In the correspondence between the Union soldiers and members of Congress concerning the repeal of the traitor coin law, other very singular facts were developed—very singular, indeed!

We cannot cite all of the letters received, but some are outstanding in the information they give or the attitude they express, and we will cite them.

Most of the members of Congress, of the many who answered, wrote that they had never heard of the law until supplied with a copy by a Union soldier. Many others wrote that they had no idea that they were voting for a law to honor the Confederates. The most illuminating of such letters are from Congressman Vestal, Chairman of the Committee on Coinage, Weights and Measures, who brought up the Bill, on which his Committee had reported favorably, for passage in the House. In a letter of September 3, 1924, he says:

MY DEAR MR. STEWART:

I have your letter of August 30th relative to Senate Bill 684 and in reply will say this bill came over from the Senate and was referred to my Committee, providing for the coinage of 50-cent pieces in commemoration of the valor of the sons and daughters of the south, in the Spanish-American, World War and in memory of Warren G. Harding President of the United States. It was to have no reference whatever to the War of the Rebellion and I do not think a single member of Congress, on either side, thought about it in such terms. The bill was so called up merely as all other bills of like character were called, providing for the coinage of pieces of silver in commemoration of events, etc. and was passed by unanimous vote.

I am sure you will understand there was no thought of commemorating the work of the southern soldiers in the war of the

rebellion or that the 50 cent pieces so coined would bear the likeness of any of the Southern Generals upon them.

Your letter to me is the first intimation that I have had of such a thing. These designs must be approved by the Fine Arts Commission and the Director of the Mint. I am today writing the Director of the Mint and think I can assure you that no coin will be made with the likeness of any of these people you mention upon them.

I have no hesitancy whatever in writing you all of the facts as they exist because, the facts as above stated are true and I believe there would not have been a single thought against the bill if a roll-call had been had, as no one thought a thing about the matter.

Not to the soldiers of the Rebellion but the men who fought in the Spanish-American and the World War and to President Harding.

In a letter of September 12, Mr. Vestal says: "I am sure no one ever dreamed of having the figures of any of the Southern Generals placed on these coins."

Considering that the member who brought the Bill up for passage in the House did not know that it was in honor of the Confederacy, it is not surprising that many others were as ignorant, and either voted for it blindly or considered that they were honoring President Harding and soldiers from the South in the Spanish-American and World Wars.

It is worth while to re-read the law in connection with Congressman Vestal's letters. What cunning it shows to conceal its real meaning! How well calculated to deceive, and how successful was that calculation!

Ask yourself: why should the descendants of the Confederates who served in the later wars be mentioned in this law? It was not for their later allegiance, but in their character as foes of the United States that the Confederates are honored in the Stone Mountain Memorial; and it was not their status as rebels, but their resumed loyalty that gave their descendants the opportunity to fight for the Union. It was not the valor of the Confederates which gave soldiers to the Union in later years: it was in spite of it and because of the valor of the Union soldiers. This traitor coin law pre-

sents a singular perversion of Biblical authority, since instead of the sins of the fathers descending to the sons, the virtues of the sons are made to ascend to the fathers.

Then, too, there was other valor in the South besides that found in Confederates: there were great numbers loyal to the Union who refused to serve, were conscripted, and then deserted a cause they could not stomach; and, as the war progressed, their number augmented until only a remnant of the once large Confederate Armies remained.

Is it not singular, therefore, to single out the valor of the ancestors of the few, when there were so many other Southern boys in the Spanish-American and World Wars, besides the descendants of Confederates: first, there were the descendants of those Southerners who served in the Union Army, 186,000 strong; then, there were those loyal to the Union who stayed in the South during the war; then, there were the descendants of Union men who have gone South since the Civil War; and, lastly, that distinguished group whose affiliation is always found within the Republican Party, and who have served in all three wars—the Negroes.

By the enactment of this traitor coin law, a Republican Congress and a Republican President have discredited the valor of all these Southerners whose loyalty was above reproach.

Mr. Vestal took the matter up with the Director of the Mint, as his letters indicate, and thought that the coinage of the pieces could be held up indefinitely, and says, September 9, 1924: "I think as soon as Congress convenes this matter can be taken up and everything will be all right."

But, suddenly, after Congress convened, Mr. Vestal either saw a great light or felt a great influence, for on January 5, 1925, he writes again to Mr. Stewart:

This bill had the sanction of ex-President Harding and of the Secretary of the Treasury and my judgment is if another bill were introduced at this time to repeal the law it would cause a great deal more feeling than if it were permitted to go on unnoticed. The coin, of course, is a distinctly Southern coin. That is, it would be sold in the South exclusively. While it might have been a great mistake to have passed this bill in the first place, I believe

it would be a much greater mistake to attempt its repeal and stir up a lot of sectional trouble.

So, we finally find Mr. Vestal fearful of stirring up sectional trouble. If there were as much interest in stirring up sectional trouble as there is in raising money in the South for the carving of the Confederate Memorial on Stone Mountain, Mr. Vestal need not have worried.

We are indebted to him for the information that President Harding approved of the Bill. That may be why his name is permitted to appear as a blind in the wording of the law.

Two or three other members of Congress expressed the idea that the opposition of the Union soldiers to the Bill would stir up trouble. Congressman McFadden said, in his letter of September 18, 1924: "I can see nothing wrong in marking the memory of brave men of the past, nor can I see anything to be gained by holding open a sore after so many years have elapsed."

Congressman Ira G. Hersey of Maine, in a letter, August 28, 1924, says: "Personally, I think it would be very unwise to attempt such a thing [the repeal of the law]. I cannot well see how your army post after all these years, should want to oppose such a measure, which would accomplish nothing and only awaken memories of certain events that ought to be forgotten."

Congressman Earl C. Michener of Michigan, in a letter of September 25, 1924, says on this point: "The war is over and the people of the South were wrong, we licked them; and I do not favor any legislation or any spirit that tends toward opening up old sores."

Congressman Carl R. Chindblom, writing to Comrade Stewart, who is a resident of his District, said to this Union soldier in a letter, December 30, 1924: "Patriotism and loyalty do not rest upon foundations of hate and revenge. There is that 'malice towards none and charity for all' of which the sainted Lincoln spoke even in the heat of war itself. There certainly is no justification for your taking an act of legislation, even if unwise, as a personal insult."

Of all the many letters which Comrade Stewart received from congressmen, these five members are the only ones who endeavored to shift to the shoulders of Union veterans the responsibility of opening old sores caused by the enactment of this law. They think it justifiable to recall to the minds of these veterans the four years of hardships they endured that the slaveholders' rebellion might be crushed, and apparently deem that the only ones worthy of tender consideration are the Confederates, who should not be reminded, even indirectly, of the fact that they were defeated. Whereas, the real ignominy lies in the fact that they rebelled. It is not the loyal who keep reminding them of this, but the constant parading of their own disloyalty and advertising it by such laws as the traitor coin law, which calls up a discussion of the past and which is the incentive of this book that the truth of Confederate history may be known.

If the Confederates were right in fighting for slavery and secession, then it is right to honor them; if they were wrong, then their dishonor and their treason should be made inconspicuous in their return to loyalty, and would then be buried with the dead past, instead of being flaunted in the faces of the loyal.

No one who takes the oath: "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation indivisible, with liberty and justice for all," can honorably assert that secession and slavery are right; and "he is no true American" who allows the assertion to go unchallenged. The Union soldiers are still true Americans.

There are other singular things connected with this coinage act:

Some one cared enough for the enactment of this law to see that it was put on the unanimous consent calendar, and, when the vote was taken in each House, there was no roll-call on this Bill which conferred such honor on treason, so that no one can say definitely who voted for it and who did not. It was put through with as little publicity as possible, and it is singular that it should be so passed, if it were an honorable

bill, since it is now hailed in the South as the most magnanimous act in the history of nations.

But, of all the singularities connected with the coin, one of the most singular things was the design which was finally put on it:

The *Atlanta Journal* announced on March 14, 1924, as we have cited, that the coin would "bear the images of Jefferson Davis, Robert E. Lee, and Stonewall Jackson on one side, and on the other a likeness of the lamented President Harding."

On April 7, 1924, Secretary Mellon, writing to Comrade Stewart, said: "It is probable that there will be submitted a design embodying a replica of the proposed monument." This would mean, naturally, that the figures of Jefferson Davis, Lee, and Jackson, would be on the coins, since their figures were to be on the monument.

On May 10, George H. Thomas Post of Chicago sent to Secretary Mellon resolutions as follows:

RESOLUTIONS

At the regular meeting, on May 10th, 1924, of Geo. H. Thomas Post, No. 5, Dept. of Illinois, G. A. R., the following preamble and resolutions were presented and, after discussion, were unanimously adopted.

Whereas, we have learned that Congress has enacted and the president has approved of a law under which the Director of the Mint is required to issue 5,000,000 fifty-cent silver coins to be turned over to the Confederate Stone Mountain Memorial Association of Atlanta, Georgia, the profits from the sale of such coins to be used in carving out of Stone Mountain a monument honoring and commemorating the traitors who endeavored to destroy our government to the end that human slavery might be perpetuated, and

Whereas, the said coins can be issued only after the device and design thereof shall be approved by the Secretary of the Treasury,

Resolved, that the Secretary of the Treasury be and he is hereby petitioned to approve, as part of said device and design, only the figures of those who were loyal to the Union during the

civil war, and we recommend that such figures be those of General James B. McPherson, General George H. Thomas and Admiral David G. Farragut.

Resolved, that our Adjutant is hereby directed to send copies of these resolutions to Hon. A. W. Mellon, Secretary of the Treasury and Hon. Gaylord M. Saltzgaber, Commander-in-Chief of the Grand Army of the Republic at VanWert, Ohio.

A true copy.

W. J. LIBBERTON, *Adjutant*.

Naturally, these resolutions were ignored, and the nature of the design was not revealed to the soldiers until after the Presidential election in November, when Mr. Garrard B. Winston, Under Secretary of the Treasury, wrote, on November 17, 1924, "The design includes the two figures of General Lee and General Jackson which appear on the battle monument itself." He had written on October 27, just a few days before the election: "A design has been submitted to us with the approval of the Fine Arts Commission, but the Treasury has not approved it."

The following January the minting of the coins was commenced, and when they appeared, after a re-reading of the law authorizing them, their singularity was most apparent.

On one side are the mounted figures of Lee and Jackson in *Confederate* uniforms, and over their heads are the words: "In God We Trust." There are also thirteen stars representing, so the Stone Mountain pamphlet says—the thirteen seceding States. This is a minor singularity of the coin, as only eleven States seceded.

On the reverse side is an American eagle and the words, "Memorial to the Valor of the Soldiers of the South," and under this inscription is what the pamphlet describes as "the most thrilling word in the language of Americans," "LIBERTY." This word on a Confederate coin is another minor singularity, since the cornerstone of the Confederacy was *Slavery*.

Two persons are conspicuous by their absence from this coin: one is Jefferson Davis. If it is right to honor the Confederacy, to finance a monument to it, to have its leaders

who are to be pictured on Stone Mountain appear in its design, why should Jefferson Davis, the head of the attempt to establish a separate Government on United States territory, be excluded? Is he less entitled to consideration than Robert E. Lee, who took arms against the Union before he was out of the Union Army and before his State had seceded, or than "Stonewall" Jackson, who died in arms against the Government? If it is right to honor the Confederacy, is it not singular to omit this tribute to Jefferson Davis, its first and only President?

Another very singular fact concerning the design is that the coin, which was authorized as a memorial to the valor of the soldiers of the South and "in memory of Warren G. Harding, President of the United States of America," has no likeness of nor reference to Warren G. Harding. The designers of the coin omitted to honor the President of the United States of America, preferring in honor those who sought to overthrow this Government.

The law was violated by this omission, but whether because it was deemed that it was too base an act to put the likeness of a President of the United States on the same coin with traitors, or because they did not consider him good enough for the rest of the company on the coin, has not been made public. There has been complete silence on this singular fact, that Warren G. Harding or any reference to him was omitted from a coin of the United States issued in his memory.

We now come to what is really the most remarkable singularity of all the singular things connected with the traitor coin, compared with which all other singularities pale into insignificance, important as they are.

The law authorizing the coin states: "That in commemoration of the commencement on June 18, 1923, of the work of carving on Stone Mountain, in the State of Georgia, *a monument to the valor of the Soldiers of the South, which was the inspiration of their sons and daughters and grandsons and granddaughters in the Spanish-American and World Wars* . . . there shall be coined at the mint," etc. When the

coins were issued they bore the words, "Memorial to the Valor of the Soldiers of the South."

We have already called attention, earlier in this chapter, to the partiality shown in singling out the valor of Confederates for honoring, when there were so many other loyal Southerners whose valor deserved recognition. It is true that the law says "Soldiers of the South," and to some this might seem to include *all* soldiers of the South, were it not for the fact that Section 2 of the law makes it plain that it refers to Confederates only; and the design of the coin confirms this fact to any doubter, since only Confederates appear on the coin, President Harding's likeness being excluded. The coin itself is acknowledged and received by the Southerners as a tribute to the Confederates and their Confederacy.

But, although the valor of the loyal Southerners is ignored and discredited in this law, there is no reason to doubt that their valor inspired their descendants to serve in the Spanish-American and World Wars just as much in the South as did the valor of loyal men in the North. With this in mind, we invite attention to the following facts and tabulations.

First, aside from any other consideration, it is a singular thing in itself to issue a coin for valor which was, *in any eleven States*, the inspiration of service in the World War, since there was an universal conscription law, applying to each State alike, and it would seem to be invidious discrimination against the other thirty-seven States of the Union to issue a coin, for that reason.

We will look a little further into these matters, and will first consider the value of the "valor of the Soldiers of the South" to our Government as manifested by the inspiration their descendants received which caused them to serve in the Spanish-American War.

There was no draft made upon the States in the Spanish-American War, so the statistics concerning it are of unusual value, since they portray the attitude of the people more accurately, as the following tabulation reveals:

SPANISH-AMERICAN WAR

A COMPARISON

Of the population, in 1900, of the number of troops in the Spanish-American War, and the number of deserters therefrom, supplied by each of the eleven seceded States, with the same from eleven loyal States, of as nearly the same population as can be shown (with Arkansas compared with a smaller State, Connecticut; and Virginia compared with a larger State, Michigan), and the totals.⁹

Name of Seceded State	Population in 1900	Troops supplied	Deserters	Name of Loyal State	Population in 1900	Troops supplied	Deserters
Alabama	1,828,697	4,022	174	Minnesota	1,751,394	5,380	19
Georgia	2,216,331	4,383	102	Iowa	2,231,853	6,694	6
Florida	528,542	1,350	19	Washington	518,103	1,854	28
Mississippi	1,551,270	3,161	72	Kansas	1,470,495	5,024	28
So. Carolina	1,340,316	2,618	94	Nebraska	1,066,300	4,046	8
No. Carolina	1,893,810	3,966	77	New Jersey	1,883,669	5,501	80
Tennessee	2,020,616	6,266	249	Wisconsin	2,069,042	5,453	8
Texas	3,048,710	6,765	98	Massachusetts	2,805,346	7,113	31
Louisiana	1,381,625	2,916	55	California	1,485,053	5,819	54
Arkansas	1,311,564	2,836	63	Connecticut	908,420	3,251	58
Virginia	1,854,184	5,223	30	Michigan	2,420,982	6,841	36
Totals	18,975,665	43,506	1,033	Totals	18,610,657	56,976	356

A study of the above figures shows that, with a slightly larger population, the eleven former rebel States supplied 13,470 fewer men than did the other eleven States tabulated; but the former rebel States supplied 677 more deserters.

So, it is evident that it is not the valor of the Soldiers of the South which should be honored, but the valor of the ancestors of those who enlisted from Minnesota, Iowa, Washington, Kansas, Nebraska, New Jersey, Wisconsin, Massachusetts, California, Connecticut, and Michigan, in the Spanish-American War. These statistics alone show that the wrong ancestors have been honored.

We have one more comparison to make, however, for the

⁹ Report of Adjutant General U. S. A., 1900, pp. 100-101.

Spanish-American War. We have already compared the eleven Confederate States with eleven other States. Before leaving this phase of the discussion, we will show how these eleven Confederate States compared with the United States as a whole, as follows:

SPANISH-AMERICAN WAR

A COMPARISON

of the population, in 1900, of the eleven seceded States and the number of troops supplied by them for the Spanish-American War and the number of them who deserted, with the population of the other thirty-five States, and the number of troops they supplied and the number of their deserters.

States	Population in 1900	Percent of Pop.	No. of men sup- plied	% men sup- plied	No. de- sert- ers	% de- sert- ers
Eleven seceded states	18,975,665	25+	43,506	19—	1,033	34—
Thirty-five other states..	55,635,258	75—	206,570	81+	2,036	66+
Total U. S.	74,610,523	100	229,542	100	3,069	100

This shows that the eleven seceded States, with more than one-fourth of the population of the United States, supplied less than one-fifth of the men for the Spanish-American War, and more than one-third of the deserters.

These statistics speak for themselves. We will, therefore, now turn to the consideration of some World War statistics:

WORLD WAR

A COMPARISON

Of the population, July 1, 1918, the number of drafted men supplied, and the number of volunteers supplied for the World War by the eleven seceded States, with the same by eleven of the always-loyal States having as near the same population as can be shown.¹⁰

¹⁰ Report of Provost Marshal General, Dec. 20, 1918, p. 468.

State	Pop.	Drafted Volun-		State	Pop.	Drafted Volun-	
		men	teers			men	teers
Ala.	2,395,270	59,755	13,788	Iowa ...	2,224,771	66,864	34,774
Ark.	1,792,965	49,312	15,999	Kans. ...	1,874,195	41,905	24,740
Fla.	938,877	24,910	11,295	Ore.	888,243	16,158	18,272
Ga.	2,935,617	66,841	20,132	Ind.	2,854,167	69,749	35,224
La.	1,884,778	56,205	15,066	Wash. ..	1,660,578	26,886	26,747
Miss. ...	2,001,466	43,362	13,378	Minn. ...	2,345,287	73,680	33,238
N. C. ...	2,466,025	58,441	16,264	Wis.	2,553,983	70,982	30,714
S. C. ...	1,660,934	44,059	10,225	Neb.	1,296,877	29,807	19,807
Tenn. ...	2,321,253	59,978	20,261	Conn. ...	1,286,268	32,539	22,679
Texas ..	4,601,279	117,395	56,666	Mass. ...	3,832,790	76,567	80,534
Va.	2,234,030	58,337	20,187	Calif. ...	3,119,412	67,067	64,417
Totals		25,232,494	638,595 213,261	Totals	23,936,571	574,004 391,146	

It may be noted that the eleven seceded States, with a population of 25,232,494 supplied a total of 851,756 volunteers and drafted men, while the eleven loyal States, with but 23,936,571 population, supplied a larger number, 965,150 volunteers and drafted men. In other words, the eleven seceded States, with a population larger by more than a million, supplied a smaller number of men by more than one hundred and ten thousand.

In the World War, the United States, with a population (July 1, 1918) of 105,253,300, used in her military and naval forces 4,034,742 men, or (omitting the few drafted from the Territories) almost exactly four per cent of her population. The volunteer enlistments in the army, navy, and marines were in number 1,367,876, or just under 34 per cent of the total. The other 2,666,867, or just over 66 per cent, were drafted or "inducted" men. In other words, almost one-third of all of them were volunteers, and two-thirds were drafted.

In the World War, the eleven former rebel States had, as shown, a population of 25,232,949, or scant 24 per cent of the total population, 105,253,300, in the United States, July 1, 1918. These eleven States supplied 851,856 drafted men and volunteers, or but 21 per cent of the 4,034,743 total of the United States. Of this 851,756 men supplied by these eleven States, 638,495 were drafted men, and the other 213,261 were volunteers: in other words, one-fourth were volunteers and three-fourths were drafted.

The eleven loyal States, which we compared with the eleven former rebel States, had a population of 23,936,571, and supplied 965,150 men in all, of which 574,004 were drafted and 391,146 were volunteers: three-fifths were drafted and two-fifths were volunteers.

These are most illuminating statistics.

Even though there was an universal conscription law, under a Southern-born President's enforcement of it, with the South in the saddle, the former rebel States failed signally to supply their share of men in the World War, even with the aid of those Southerners whose ancestors had always been loyal to our Government.

But there is still other data which should be considered along with that which we have just presented, and that is, the number of Negro soldiers from the former Confederate States. Statistics for the Spanish-American War are not available, but the Adjutant-General furnishes them for the World War in the following tabulation:

WORLD WAR

A COMPARISON

of the white and Negro population in the former rebel States and the number of soldiers from each race. The figures for population are approximate, being taken from the Federal Census for 1920¹¹

State	Number of White Population	Number of Colored Population	Number of White Soldiers	Num- ber of Colored Soldiers
Virginia	1,617,909	690,017	51,765	25,381
North Carolina	1,783,779	763,407	56,262	22,007
South Carolina	818,538	864,719	30,571	26,617
Georgia	1,689,114	1,206,365	55,717	37,842
Florida	638,153	329,487	22,304	13,801
Tennessee	1,885,993	451,758	63,517	18,046
Alabama	1,447,032	900,652	49,541	28,918
Mississippi	853,962	935,184	31,729	25,060
Arkansas	1,279,757	472,220	46,675	18,318

¹¹ Chicago *Daily News Almanac*, 1930, p. 170.

Louisiana	1,096,611	700,257	39,819	28,018
Texas	3,918,136	741,723	136,329	33,447
Totals	17,028,984	8,055,789	584,229	277,455

It will be seen from these figures that the white population in the former Confederate States was, in 1918, approximately, 17,028,984. From this number they supplied to the World War 584,229 soldiers, or 3,431 out of every hundred thousand population. The Negro population of these same eleven States was, approximately, 8,055,789, from which number they supplied 277,455 soldiers, or 3,444 out of every hundred thousand population, slightly more than the Southern whites in proportion to population, whose numbers include, not only the descendants of Confederates, as we have already mentioned, but also the descendants of those always loyal.

Excluding the population of the former Confederate States, the population of the other 37 States was, approximately, 80,625,847. They supplied to the World War 3,144,789 soldiers, or 3,900 out of every hundred thousand population.¹²

We do not present a comparison between the races in the Southern States showing volunteers and drafted men, because this is obviously unfair to the Negro race, since the Report of the Provost Marshal General, December 20, 1918, concerning the Negro in the World War, says:¹³

His race furnished its quota, and uncomplainingly, yes, cheerfully. History, indeed, will be unable to record the fullness of his spirit in the war, for the reason that opportunities for enlistment were not opened to him to the same extent as to the whites. But enough can be gathered from the records to show that he was filled with the same feeling of patriotism, the same martial spirit, that fired his white fellow citizen in the cause for world freedom.

The tabulations and figures which we have just presented

¹² The slight discrepancies between the figures of this comparison and those of our other World War comparison are caused by the different totals in 1918 and 1920, the latter date being used for the purpose of racial statistics; the latest figures from the Adjutant-General's office (1930) are also used.

¹³ P. 194.

refute any claim for issuing a coin in honor of the "valor of the Soldiers of the South" which inspired in their descendants service in the World War. If the valor of any ancestors, by States, is to be honored by the issuance of a coin of the United States, it should be to the ancestors of those troops in the World War who hailed from Iowa, Kansas, Oregon, Indiana, Washington, Minnesota, Wisconsin, Nebraska, Connecticut, Massachusetts, and California.

It is evident, therefore, that the most singular thing in connection with the traitor coin that has yet come to light is that it should be issued for the purpose of financing "a monument to the valor of the soldiers of the South, which was the inspiration of their sons and daughters and grandsons and granddaughters in the Spanish-American and World Wars." This specious, insincere reason is as false as every other misrepresentation which we have revealed in this book, and worthy only of the cause it seeks to honor—human slavery.

Bearing in mind all these singularities which we have set forth, it is interesting to note the result of the sale of the coins.

Mr. Edwards has revealed that he desired that 10,000,000 of these traitor coins should be minted, but that the number finally authorized under the law was cut to 5,000,000. Of this authorized number, only 2,314,000 had been issued up to October 21, 1926, according to a report from the Director of the Mint. Of these 2,314,000 coins, Hollins Randolph, president of the Stone Mountain Confederate Monumental Association, states in the *Atlanta Journal* of August 5, 1927, that "Altogether around 1,300,000 coins have been disposed of." He states further: "There were 2,300,000 of the half dollars minted of which about 1,000,000 remain unsold."

In a sense, it is surprising that so few of the coins have been "disposed of," for they have received extensive advertising.

Mr. Mellon, in his recommendation of the Bill, said: "There appears to be a real demand for these coins from the people of 14 States of this country"; Mr. Vestal said, "The coin, of course, is a distinctly Southern coin. That is it would be sold in the South exclusively"; and the *Atlanta Journal*, the

harbinger of all things concerning the Stone Mountain Memorial, refers a number of times to the idea that Southerners should respond to this Republican magnanimity by buying the coins generously. For example, in the issue of May 22, 1925, it says:

Who can imagine a Southern heart unmoved by a gesture so gracious? It is our most cherished traditions that these coins bear aloft; it is to our heroes most revered that they are dedicated; it is the most wonderful of Southern memorials that they are to complete. Every impulse of loyalty and every principle of honor bids us respond with hands outstretched. . . . We cannot be laggard in a cause in which the nation has been so chivalric. We will not be recreant where the nation has proved true.

In spite of such appeals, the same apathy toward the Confederate cause which made conscription necessary in 1862 and which made necessary the issuance of the coin to finance the memorial to "the stainless cause," appeared when it came to buying the coins, and the sale, which Mr. Vestal stated was to be carried on only in the South, was sporadically extended to the North, although the harbinger announced in February, 1925,¹⁴ that a great national campaign was planned for distribution of the coins. These efforts, however, were mostly confined to New York City, led by Mr. Bernard M. Baruch, a native of South Carolina, and Mr. Robert Adamson, a native Georgian. There is something about the nature of the coin which seemed to make it inadvisable to give it general publicity in the North.

The apathy of the South is apparent: of course, those who have a loyal heritage are naturally indifferent; those who opposed slavery do not believe in honoring the cause which protected it; those who believe in so-called State Sovereignty, as opposed to nationalism, and who are familiar with the truth of Confederate history, cannot approve of the monument, because they know the Confederacy crushed every right the States had under their Constitution.

If the memorial on Stone Mountain is to be carved as a

¹⁴ A. J., Feb. 22.

tribute to those who tried to establish State Rights, then the wrong men are being represented thereon. The men who made a staunch fight for the rights of the States were the Governors, and even they were not fighting for State Sovereignty, but merely for those rights guaranteed under their Constitution, of every one of which the States were gradually deprived by a ruthless despotism. So, if Stone Mountain is to be a memorial to that "principle" which the present-day apologists assert that the South fought for, then Governor Joseph E. Brown of Georgia, Governor Zebulon A. Vance of North Carolina, Governor T. H. Watts of Alabama, and Governor Charles Clark of Mississippi should be the conspicuous figures on that shrine. They were consistent, at least, and loyal to the rights of the people of their States, against Confederate oppression and usurpation. Such as they were the real, but misguided, exponents of State Rights.

The issuance of a coin and the figures to be represented thereon are an entirely different matter. Throughout this book we have shown that there is not the shred of an excuse for issuing coins of the United States with the likenesses of traitors thereon, even for the noble purpose of financing a memorial to the defunct slaveholders' Confederacy.

We have shown that, in proportion to population, the Negroes of the Southern States supplied more soldiers for the World War than did the whites. It would seem, therefore, that a magnanimous Government, under a Republican Administration, on a coin honoring Southerners, should have given recognition to the Negro for his greater service to the nation in the World War than that rendered by the Southern white man; and the more particularly so when we remember how much indebted the South and the nation are to the ancestors of these Negro soldiers: we have Jefferson Davis' authority for the statement of fact¹⁵ that it was through the labor of the black man that "hundreds of thousands of square miles of the wilderness were converted into cultivated lands covered with a prosperous people."

It was the unrequited service of the black man that built up

¹⁵ O. R., Vol. 127, p. 259.

the South, and his descendants have served our country faithfully ever since "the great freedom" came. If "justice were a fact without us, and not an infinite yearning within," the United States would have given him place on the coin which now bears the likenesses of traitors; and the Southerners, if they were properly grateful to their former slaves, would carve on Stone Mountain the heroic figures of Negroes, since it is to them that the Confederate South owes its development and prosperity, and it would be some reward for their long years of unrequited toil. Instead, Stone Mountain is to bear the images of those who involved the sunny South in four long years of war, with all the ruin and poverty that followed in its wake, and the United States honors them with their likenesses on coins.

CHAPTER XXXVII

OTHER LAWS HONORING THE CONFEDERACY: THE MOTIVE BACK OF THEM

The Republican Congress and President not only authorized the issue of the traitor coin, but they also adopted a resolution authorizing the restoration of Arlington as it was before the Civil War, as a memorial to Robert E. Lee. Mrs. Frances Parkinson Keyes, wife of the Republican Senator from New Hampshire, in *Good Housekeeping*,¹ tells about the passage of this Bill:

When I read the list of the bills passed in the final crush of Congressional legislation, and signed by the President at the last moment, I discovered that among them was the measure authorizing the restoration of the Lee mansion. It seems like the irony of fate that a bill in which I had been so earnestly interested, and for which I had worked so long and for a time apparently so hopelessly, should at last have gone through so quickly and so easily that I did not even know of its passage until several days afterward. It was introduced, in its final form, in the House of Representatives by Mr. Cramton of Michigan, and in the Senate, without amendment, by Mr. Pepper of Pennsylvania—both Northerners, you will observe—and it is so brief that I am quoting it to you:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed, as nearly as may be practicable, to restore the Lee Mansion in the Arlington National Cemetery, Virginia, to the condition in which it existed immediately prior to the Civil War, and to procure, if possible, articles of furniture and equipment which were then in the mansion and in use by the occupants thereof. He is also authorized, in his

¹ July, 1925.

discretion to procure replicas of the furniture and other articles in use in the mansion during the period mentioned, with a view to restoring, as far as may be practicable, the appearance of the interior of the mansion to the condition of its occupancy by the Lee family.

The introduction to this resolution also states that "Honor is now accorded Robert E. Lee as one of the great military leaders of history, whose exalted character, noble life, and eminent services are recognized and esteemed, and whose manly attributes of precept and example were compelling factors in cementing the American people in bonds of patriotic devotion and action against common external enemies in the war with Spain and in the World War, thus consummating the hope of a reunited country."

Mrs. Keyes does not seem to remember any better than did Congress in adopting this resolution, that our country was reunited, so far as it had been disunited, by the surrender of the armies under General Lee (this same Lee) and General Johnston and others in 1865, a result forced on those in arms against our Government by the valor of the soldiers of the Union, which valor was not recognized by the Coolidge Administration.

Mrs. Keyes omits to state that Representative Cramton and Senator Pepper, like her husband, were Republicans: we have already mentioned that Senator Pepper was originally slated to introduce the traitor coin law in the Senate, but that that distinguished honor was finally bestowed on Senator Smoot, and the honor of presenting this Arlington Restoration Resolution was reserved for Senator Pepper.

After studying the traitor coin law, we are quite prepared for the introduction of the Spanish-American and World War references. They are supposed to be a spell which removes the curse of honoring treason by having the virtues of the sons ascend to the fathers!

In connection with this resolution restoring "the Lee Mansion" is the interesting fact that Lee never owned any of the Arlington Mansion. He himself says, in a letter to Reverdy

Johnson, January 27, 1866,² speaking of the estate of his father-in-law, G. W. P. Custis:

A portion of his landed property has been sold by the Government, in the belief, I presume, that it belonged to me; whereas I owned no part of it, nor had any other charge than as administrator. His will, in his own handwriting, is on file in the court of Alexandria County. Arlington, and the tract on "Four Mile Run," given him by General Washington, he left to his only child, Mrs. Lee, during her life, and, at her death, to his eldest grandson.

It is readily seen, therefore, that the restoration of Arlington by Congressional act in memory of Lee is somewhat far-fetched, since he rarely was there, owing to his military life, and never owned any of it. The appropriation for the restoration was not passed and approved, however, until the last days of the Coolidge administration, when ninety thousand dollars was appropriated.

While Congress was adopting the resolution which states that the precepts and example of Lee were compelling factors in cementing the American people in bonds of patriotic devotion, *The Confederate Veteran*, organ of the Confederacy's four societies, during the same month, March, 1925, in an article entitled, *A Voice from the Tomb*, which discusses the opposition of the Union soldiers to the Stone Mountain coin, says: "Only those strange people of beatific visions who make reunion speeches assert the disappearance of the bloody chasm and the total lack of ill feeling between the sections." The article closes with the suggestion that the title *A Voice from the Tomb*, which is quoted from another paper, should be changed to *A Voice from the Cesspool*. With such pernicious characterization of the protest of Union soldiers, do the followers of Lee emulate his manly attributes of precept and example!

Other laws and resolutions honoring the Confederacy were recited in our Prologue:

By Congressional authority the Navy Department for several years has sent the Marine Band to attend the Confederate

² Jones' *Reminiscences*, p. 211.

reunions; and the War Department has furnished bedding and tents to the number of 38,000 pieces for these same reunions.

In themselves these acts seem innocuous, and they might be so, were it not for the fact that they are used, as are all other such acts, as proof that the Confederacy was right, its cause just. After all, there does not seem to be any good reason for extending these courtesies in 1928 and 1929 any more than in the years from 1861 to 1865, since it is as rebels that they are being recognized and honored, and not in any resumed loyalty. At these reunions the flag of disunion is displayed and the uniform of the slaveholders' Confederacy worn, the flaunting of both of which was judged an act of hostility in loyal States by the Attorney-General of the United States shortly after the close of the War.³

The 70th Congress also enacted a law, Public No. 810, as follows:

Be it enacted, etc., That the Secretary of War is authorized to erect headstones over the graves of soldiers who served in the Confederate Army and who have been buried in national city, town, or village cemeteries or in any other places, each grave to be marked with a small headstone or block which shall be of durable stone and of such design and weight as shall keep it in place when set and shall bear the name of the soldier and the name of his State inscribed thereon when the same are known. The Secretary of War shall cause to be preserved in the records of the War Department the name, rank, company, regiment, and date of death of the soldier and his State; if these are unknown it shall be so recorded.

The graves of Union soldiers throughout the land have never been marked by the Government, although a law authorizing the marking of some of them was passed February 3, 1879. But it was not as comprehensive as this law marking Confederate graves, because the latter law authorizes the marking of Confederate graves anywhere and everywhere on earth, in the phrase "or in other places." Except in na-

³ O. R., Vol. 97, p. 920.

tional cemeteries, regardless of any law, the graves of Union soldiers are mostly marked by their comrades or by organizations allied with the Grand Army of the Republic. As far as the grateful Government is concerned, most of these graves would be unmarked: this is a reward of patriotism! The would-be destroyers of the nation are to have their graves marked in enduring stone: this is the reward of treason!

We have already referred to the singularity, if not the incongruity, of Vice-President Dawes—acting, it is true, by the direction of Congress—in accepting the statue of the Vice-President of the Confederacy when it was unveiled in Statuary Hall in our National Capitol. On that occasion Vice-President Dawes said in part:⁴

As representing the Government of the United States, a government whose flag inspires the love of a united people no longer divided, either by section or sentiment, a government under which the North is proud of the South and the South of the North, the East of the West, and the West of the East, I accept this memorial in its name, in accordance with the act of Congress. (Applause).

Later, Congress adopted a joint resolution thanking the people of Georgia for their statue of Stephens, as follows:⁵

Resolved by the house of representatives (the senate concurring), that the statue of Alexander Hamilton Stephens, presented by the State of Georgia, to be placed in Statuary hall, is accepted in the name of the United States and that the thanks of congress be tendered the state for the contribution of the statue of one of its most eminent citizens, illustrious for his distinguished humanitarian service. . . .

The interesting part of this resolution is the reference to "the distinguished humanitarian service" of Stephens. This, no doubt, refers to his theories concerning slavery, particularly that it was the "cornerstone of the Confederacy."

But the truly absurd measure adopted by Congress was that, whereby a committee of fifteen was sent to the unveiling

⁴ *Cong. Record*, January 4, 1928, p. 1012.

⁵ A. J., Dec. 22, 1927.

of Lee's figure, on his horse, Traveler, carved on Stone Mountain.

To understand fully this absurdity, the following facts must be known: Originally, Gutzon Borglum started the carving on Stone Mountain. When the head of Lee was well under way, dissension broke out between the sculptor and the Stone Mountain Confederate Monumental Association, because of which differences he retired from the task, and Augustus Lukeman was engaged to carry on the work. A new figure of Lee on his horse was started lower down on the mountain-side, and that which Borglum had accomplished was effaced from the mountain; other figures, presumably of Jackson and Davis, were roughly sketched in. These three figures formed but an infinitesimal portion of the vast design set forth by the Stone Mountain Association as their goal.

With the figure of Lee still incomplete, his horse hardly started, and the figures of Jackson and Davis still vague sketches, the Stone Mountain Confederate Monumental Association proceeded to have an "unveiling" of the "mounted statue of Robert E. Lee," when the whole of the completed work represented not more than two per cent of the Stone Mountain project as advertised.

And Congress spent the good money of the people of the United States to send fifteen of its members to this so-called unveiling! It took much of the effrontery and presumption which has always marked the Confederate sympathizer for them to ask for this delegation from Congress to attend such an unveiling. But it was a Confederate desire, so it was granted, and later the Stone Mountain Confederate Monumental Association sent the following resolution, which was read in Congress:⁶

Whereas the Congress of the United States passed a special joint resolution providing for the appointment of a committee of 10 Members of the House of Representatives and five from the Senate to act as the accredited representatives of the Senate and the House at the exercises held at Stone Mountain on April 9, 1928, incident to the unveiling of the mounted statue of Gen.

⁶ *Cong. Record*, May 29, 1928, p. 10758.

Robert E. Lee, and the Speaker of the House, Hon. Nicholas Longworth, subsequently appointed Hon. Thomas M. Bell, of Georgia; Hon. John Q. Tilson, of Connecticut; Hon. William W. Hastings, of Oklahoma; Hon. C. William Ramseyer, of Iowa; Hon. W. H. Sproul, of Kansas; Hon. Charles L. Faust, of Missouri; Hon. C. R. Crisp, of Georgia; Hon. Clarence F. Lea, of California; Hon. John J. O'Connor, of New York; and Hon. William W. Arnold, of Illinois, and said representatives visited Atlanta and were present at the exercises referred to:

Resolved, That the thanks of the Stone Mountain Monumental Association are hereby extended to the Congress of the United States for their gracious act in giving official recognition to this auspicious event in the manner recited, together with sincere assurances of the grateful appreciation of this association and all connected therewith, we being desirous of formally testifying to the high regard we entertain and feel for this renewed evidence of the sympathy and support of the Congress for the great monument being built upon Stone Mountain, on a prior occasion evidenced in such notable and historic manner.

This is an extremely interesting resolution. It emphasizes the fact that "official recognition" is given by the Republican Congress to the Confederate memorial to the slaveholders' rebellion; delicate allusion is also made to the traitor coin in the support given "on a prior occasion evidenced in such notable and historic manner."

Why was this absurd unveiling perpetrated? The answer is: in spite of the financial aid received from the sale of traitor coins, the Association was without funds: this "unveiling" was just a gesture whereby members of Congress were notified, visibly, that the Stone Mountain Confederate Monumental Association needed more Congressional aid and that they were in a receptive mood for more financial "support." When the time is ripe, they will seek it. Will future Republican administrations and congresses be as docile to Confederate bidding as those just ended?

But what is the meaning of all these Republican crookings of the knee to the Confederacy and its leaders which we have just shown?

There are few citizens so dull of understanding that they

will believe that all of these tributes have been paid by Republicans to Southern Confederate Democrats out of pure magnanimity, or out of a disinterested desire to recognize the principles of slavery and State Sovereignty as laudable ends for which to strive; and the more particularly will this be difficult for anyone to believe when he remembers that in the recognition of the Confederacy the Republican leaders are risking the alienation of two large groups which have always been in the Republican fold: namely, the Union soldiers and their affiliated organizations and the Negroes.

It must, therefore, have been a powerful influence which could cause the Republican leaders to forget the faith of their fathers and risk the alienation of these two groups, even though the passage of such acts as the traitor coin law and the restoration of Arlington were accomplished with all the secrecy possible under the circumstances, and information concerning them consistently and persistently suppressed in the North. This very secrecy and suppression are, of course, an acknowledgement that these acts will not bear public scrutiny nor meet with public approval among the rank and file of Republicans.

What, then, was the secret influence? It can be answered in two statements of fact: the headquarters of the Stone Mountain Confederate Monumental Association were in Atlanta, Georgia; the Ku Klux Klan national headquarters, from which the imperial wizard of the Invisible Empire issues his commands, were also in Atlanta. The Klan is the offspring of the Confederate South, but has extended all over the United States. As its descriptive name indicates, the invisible empire, to be such, must be Democratic in the South, to control, and Republican in the North, in order to be really imperial. The control of the Klan, however, was in Atlanta.

If the reader has a moment of doubt, let him recall the pre-election speeches in the 1924 Presidential campaign. Mr. Davis and Mr. LaFollette were strong in their denunciation of the Klan; but Mr. Coolidge never voiced a single word of opposition to that organization. Then, when the Republican Vice-Presidential candidate, Charles G. Dawes, made his open-

ing campaign speech in Maine, he violently assailed the Klan; but he, like Mr. Vestal of Indiana, evidently was made to see a great light, or to feel a powerful influence; for, after this maiden effort against the Klan, he was silent forevermore—with a silence that was most oppressive.

Gradually the newspapers are revealing this close connection between Republicanism and the Klan in the North: in such States as Maine, New York, and Indiana the influence is profound. Indeed, we need no better example of its power than that it closed the mouth of Mr. Dawes, a man noted for saying what he thinks without restraint.

The secrets of the Klan have been revealed just enough to indicate that its members are governed by super-oaths, and that the man higher up controls those beneath. So the interesting situation develops that the Republican North has been more or less controlled from the seat of the invisible empire at Atlanta, and the imperial wizard, who happens to be a dentist by profession, in exchange for the outward and visible honoring of the Confederacy by leading Republicans, throws the Klan influence in the North to the Republican Party.

This Klan boasts of its hundred per cent Americanism, and is often loud in its expressions of loyalty to the Constitution;⁷ yet, one of its basic principles is opposition to the Jew, the Catholic, the Negro, and, incidentally, to the foreign-born, who have all rendered distinguished service to America from the time the Catholic Columbus first discovered it. The service rendered by the Negro in developing, with unrequited toil, the fertile fields of the South, was of vital importance to our national life as well as to the Confederacy; and even the Confederacy owes something to the Jew, since its first Attorney-General, Judah P. Benjamin, was a Jew, who also held other positions in Davis' cabinet.

But, even if the United States owed nothing to these groups, yet our Constitution protects them both racially and in religion. The first amendment to the Constitution says: "Con-

⁷ Senator Heflin, *Congressional Record*, April 23, 1929, p. 342.

gress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

The Constitution further says, Amendment XV, Section 1: "The right of the citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude."

The Constitution also says, in Amendment XIV, Section 1: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the States wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

It will be seen from these citations that the Jew and the Catholic are protected in their religion by the laws of the land; the Jew and the Negro are protected in their racial characters; and the foreign-born is protected as soon as he becomes naturalized.

It is, therefore, the patriotic duty of every citizen, who desires to be one hundred per cent American, to protect the rights and privileges of these four groups of citizens, and "he is no true American" who does not yield this protection to our fellow-citizens.

It is with the group antagonistic to the essential principles of our Government that the Republican party is allied—a group which hides its membership behind hooded gowns and masks, and whose acts are secret, as becomes an invisible empire.

What the Republicans have gained by honoring treason, and conniving with the invisible empire, is political success.

What do the Southern Confederates hope to gain by their continued activities, in which they are constantly calling attention to their treason and, incidentally, bidding for sympathy whenever the loyal refute their defamatory statements and proclaim their treason?

Of course, the object of many is, as General Thomas explained, to cover the crime of treason with the counterfeit varnish of patriotism; but, the material things are of interest to the Confederates, too. They have gained recognition

for the Confederacy in such enactments as the traitor coin law and the resolution and appropriation restoring Arlington as a memorial to Lee; but such matters as these are trivial, merely introductory, to what they further desire, and constitute the premises, however false, upon which to base false conclusions and demands.

Having established the principle of Government recognition of the Confederacy, the next step is the granting of pensions to the Confederate soldiers for their four years' endeavor to overthrow the Government. When they seek legislation in recognition of the Confederacy, they are loud in their praise of loyalty and a reunited country; but they cannot serve two masters. General W. B. Freeman, Commander-in-Chief of the United Confederate Veterans, on October 15, 1925, sent a message to the Georgia Division of Confederate Veterans, in which he said:^{*} "There is as much devotion to the Confederacy today as there was in 1861, or after the great victories of 1862. It is different in its form . . . but it is astounding how this sentiment grows annually."

That it is no idle jest, that these former rebels have as an aim the pensioning of Confederate soldiers and their widows by the United States, is proved by the fact that such bills are frequently introduced into Congress; in one session (1925-6) no less than four such bills were introduced.

Now, the first real step in obtaining this end has already been gained, and that was when the 70th Congress passed the law, and President Coolidge approved it, to mark the graves of Confederate soldiers and to keep a permanent record of their services (against the United States) in the War Department. It is but a step from recognition of the dead to recognition of the living. The payment of pensions to the widows of Confederates will be an easy matter whenever such a law may be enacted, for each name and record will be on file in the War Department, ready for a widow's application.

Just how the Confederates will square their claim for pensions with their claim that they were citizens of another government is not clear, but this may not be necessary if the

* A. J., Oct. 15, 1925

proponents of the Confederate pension bills will insert the grandchild clause—that efficacious argument that descendants of these Confederates served in the Spanish-American and World Wars. This argument, so potent with Republican Congresses and with President Coolidge that it made them tenderly solicitous of their political opponent, the Southern Confederate Democrat, as before stated, ignores the fact that it was in spite of the Confederate soldiers that their descendants were in loyal service to the United States instead of opposed to it. It is an interesting fact that the bills introduced into Congress for the purpose of pensioning the Confederates refer to the war as “the Civil War” and not as “the War Between the States.”

If some future tenderly-solicitous Republican Congress should decide further to recognize the Confederacy by pensioning its soldiers, we suggest that they should discriminate between Confederates: and only those who can prove that they were of the thousands who deserted should be pensioned by the United States Government, for by their desertion of “the stainless cause” they gave aid to our Government. That would seem to be their only claim as having served the United States.

Having gained the pensions, the Confederate advocates would next seek payment for losses sustained during the war. Their attitude that the Confederates were citizens of a foreign country would effectually bar any claim for damages sustained in the track of war; but, no doubt, the grandchild clause would be potent here, too, and it will surely be used, since it has been successful so far.

Of course, their true position as rebels was fully set forth: those Republicans who may yet intend to reimburse Confederates for their losses should consider the discrimination which President Lincoln made in his Proclamation of September 22, 1862, wherein he says:⁹ “And the Executive will in due time recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion shall (upon the restoration of the constitutional re-

⁹ *Am. Pol.*, Bk. 1, p. 142.

lation between the United States and their respective States and people, if that relation shall have been suspended or disturbed) be compensated for all losses by Acts of the United States, including the loss of slaves."

This statement shows that it was the intent of the then Republican President to reimburse only the loyal: this excludes all Confederates, whether regarded as rebels or as enemy aliens.

But, even yet, suppose future Republicans should continue the Coolidge policy of recognition of the Confederacy and desire to repay Confederates for their losses, particularly losses in slave property suffered during the rebellion: here again discrimination should be used and proof demanded that the slaves, for whose loss damages are claimed under the Emancipation Proclamation, never aided the rebellion in any capacity under the Confederate Impressment of Slaves Acts.

Many were so lost, as the estimate approved by Secretary of War Seddon shows. This estimate was dated October 27, 1864, and reads: ¹⁰

Estimate for loss of slaves which have been impressed by Confederate authorities, or under State laws, or voluntarily sent to the Confederate authorities, and accepted by them, without other special contract, for the use of the Confederate Government, and while engaged in laboring on the public defenses or other public works have escaped to the enemy, or died, or contracted diseases which have, after their discharge, been fatal . . . \$1,500,000. This estimate was for the half year ending June 30, 1865.

It is our contention that slaves lost in the Confederate service through the four years of the war should not be included in any claim for damages.

Nor should any slaves who escaped into the Northern States before the downfall of the Confederacy be considered as a loss for which the United States should compensate, any more than they compensated such losses before the war.

Nor should any of those Negroes who stayed with the Con-

¹⁰ O. R., Vol. 129, p. 778.

federates after emancipation be included in compensatory claims. This would include the Negro "Mammy," whom the Southerners exalt as a symbol of post-bellum loyalty.

In considering this subject of compensation for slave property loss, if the Republican Party really desires to look after its own, it would be a magnanimous act if the compensation for slave loss should be paid to the ex-slaves themselves, or to their descendants, instead of to their former owners or their heirs: for, as Jefferson Davis has advised us, it was the labor of the slaves which cleared the virgin forests and converted them into the fertile fields which were the boast of the Southland—and this labor was unrequited!

The Confederates make a bid for sympathy on every occasion, and sob of the hardships and losses endured, but are silent on two major sources of some of these woes: one, the losses and hardships endured from the destruction wrought by the Confederates themselves upon Confederate citizens, which we have disclosed in our earlier chapters; the other, the fact that part of the poverty in the South after the war came from backing the wrong horse. This fact is entirely suppressed; but when it is remembered that there were Confederate bonds and Confederate currency, it will be readily understood that any person who had invested in either lost the entire amount so invested when the Union was victorious. There were many who invested all they had in these worthless bonds and currency.

A victorious and generous Union left to the South their lands and a laboring class of free Negroes, but it did not make good the worthless Confederate bonds and currency with which the conquered "Southron" might pay for the upkeep of his land in requited labor. Herein lay the true secret of the greater part of the post-bellum poverty in the South, which, with a certain kind of Southern chivalry, is falsely attributed to Northern animosity and Republican Reconstruction, instead of to its true source—bad judgment on the part of the Confederates in backing Jefferson Davis instead of Abraham Lincoln.

At any rate, compensation for war losses in the South

should also exclude payment for losses sustained by Confederate pillaging, and through deflation—totally so—of Confederate bonds and currency.

From the above suggestions it will be seen that any claims for compensation on the part of the Confederates involve many issues, and any attempt to compensate the disloyal would lead to endless complications, if the ends of justice and loyalty are to be considered.

There is no doubt that, while the going was good, the Confederates did all in their power to wrest from a too complaisant Government material reward for their endeavor to destroy that Government. Will these rewards continue?

Such acts as the traitor coin law, the restoration of Arlington, and the marking of Confederate graves, while they encourage the Confederates to demand that there shall be material rewards for disloyalty, are the source of ideas destructive to our very national life. It gives the opportunist Confederate the chance to promulgate the idea that what the South fought for was right.

We have shown that they reject the faith of their fathers in denying now that slavery was the cornerstone of the Confederacy, and in asserting that the South fought solely for State Rights. Mary Roberts Rinehart, in a letter published in the *Atlanta Journal* of June 28, 1925, acknowledging the receipt of a memorial coin from the *Journal*, says:

It is a gracious and most deserved tribute to those of us who fought bravely and well for a principle which they felt was right, and which indeed later judgment seems to indicate was right. The legal right of Southern States to secede is, I think, now generally granted.

Mrs. Keyes, in *Good Housekeeping* for July, 1926, seems to voice the same destructive idea, but more cautiously expressed. She says:

We have not forgotten, and are not likely to forget, that eleven of our States felt that they had a right to secede from the Union, and thousands of people living in those States to this day—and some in other States as well—think they were right in that pre-

sumption. A Confederate Government was established which received some international recognition. And in spite of this we fought a horrible war, which lasted four years and cost us the lives of five hundred thousand men, to prove that the Union could not be dissolved—and apparently proved it.

These two women, one of whom is the wife of a Republican senator, deliberately suggest that disunion was right, ignoring that the principle involved therein was so destructive that the Confederates themselves rejected it. Their statements show the dangers that encompass our Government when we extend any honor to either the Confederacy or its leaders. We may fight destructive elements from without, such as Bolshevism; but we should also fight the doctrine that disunion is legally right, as it is today as destructive an element within as any Red propaganda can be. Time has not changed its menace since 1861, if, as Mrs. Keyes says, there are still thousands in the United States who believe it.

Honoring treason encourages treason: if we sow such honor, we reap the treason. We cannot expect loyalty from our youth, if a premium is put upon disloyalty. We may not reap disunion, but there are other crops which will flourish in such soil: Bolshevism, anarchy, and pacifism are some of the fruitful growths.

CHAPTER XXXVIII

THE REWARD OF PATRIOTISM

In the pages of this book, we have shown that it was popular, not only in the dominant Democratic minority in the South, but also in the Republican administrative and legislative forces in Washington under President Coolidge, to honor the Confederacy with all its iniquitous principles of slavery and disunion, and that such honoring was most signalized in the issuance of a coin of the United States to finance a monument to those who took arms against our Government, in order to establish a new government within our boundaries.

The honor thus paid to the Confederate soldiers is one, as the Stone Mountain Confederate Monumental Association pamphlet tells us, such as had never been paid to any other soldier in the world. It further states:¹ "It is the only coin issued by the United States in memory of any American army, and the army in whose memory it was issued was not the army of the United States, but the army of the Confederate States, which was at war with the United States."

So, the Government, in paying this unparalleled distinction to soldiers, did not reward the patriotism of the loyal Union soldiers, but rewarded those who were "at war with the United States"; in placing images on the coin the Government did not select the loyal Southerner and Virginian, the one undefeated general of the Civil War, the Rock of Chickamauga, George H. Thomas, as deserving this great honor, but chose, instead, the renegade Virginian, Robert E. Lee.

In the light of all the honors bestowed on the rebels—hitherto enumerated—some future student of history may inquire if at this period of our national existence there was any tendency on the part of the Government to revert to the principle on which the Confederacy was founded.

¹ P. 33.

Since State Sovereignty was not included in the Confederate Constitution, and State Rights of every kind were crushed in the course of the Confederacy, these two principles cannot be regarded as elements, since they did not exist. The one basic principle was slavery—the right of the white man to the unrequited toil of the black man—to own him soul and body.

Has the American nation shown any tendency to revert to the ideals of slavery, save in the honors heaped on the Confederacy?

On February 25, 1929, the United States Senate ratified the Slavery Convention, already signed by 36 countries at Geneva on September 25, 1926. The purpose of this Convention, as expressed in Article 2, is:

- (a) To prevent and suppress the slave trade;
- (b) To bring about progressively and as soon as possible, the complete abolition of slavery in all its forms.

Is it not strange, then, that the same Senate which ratified this Convention for the abolition of slavery should pass laws whose sole purpose is to honor the slave-holders for their attempt to perpetuate and extend slavery?

By which attitude shall the future judge us? By our signature to the Slavery Convention, or by our coins which bear the likeness of those who fought to preserve the institution of slavery?

Moreover, we have already shown that Lincoln referred to Lee, upon whom honors are bestowed, by name, as a traitor: and Lincoln spoke with knowledge of the facts.

Further: in his Proclamation of December 8, 1863, offering full pardon to those rebels who desire to return to their allegiance, Lincoln says:² "Whereas, a rebellion now exists, whereby the loyal State Governments of several States have for a long time been subverted and many persons have committed and are now guilty of treason against the United States . . ." and he further cites as guilty of treason and therefore excluded from pardon, persons as follows:

² O. R., Vol. 119, pp. 680-2.

The persons excepted from the benefits of the foregoing provisions are all who are, or shall have been, civil or diplomatic officers or agents of the so-called Confederate Government; all who have left judicial stations under the United States to aid the rebellion; all who are, or shall have been, military or naval officers of said so-called Confederate Government above the rank of colonel in the Army or of lieutenant in the Navy; all who left seats in the U. S. Congress to aid the rebellion; all who resigned commissions in the Army or Navy of the United States and afterward aided the rebellion, and all who have engaged in any way in treating colored persons, or white persons in charge of such, otherwise than lawfully as prisoners of war, and which persons may have been found in the U. S. service as soldiers, seamen, or in any other capacity.

From the highest authority, therefore, we have the judgment that Robert E. Lee was excluded from pardon because he was one of those who resigned his commission in the United States Army and afterwards aided the rebellion.

With the growing recognition of the Confederacy, there has developed a cult or propaganda that those who criticize the Confederacy, who reveal its long-suppressed and unpalatable truths, are guilty of sectionalism and of keeping old quarrels green; but no criticism is given to the Confederates for their constant reminders—in advertising themselves and their cause—that they were rebels. Yet every time they parade themselves they are guilty of the sectionalism they seek to attribute to the loyal. Instead of being sectional, the Union soldier is the very antithesis of it. He stands for the whole Union. It was sectionalism which he destroyed.

The constant misrepresentations and defamations of the Union soldiers are the potent factors in keeping old quarrels green. They speak in self-defense. Surely, because they were the defenders and preservers of our nation is no reason why they should be excluded from the right of maintaining their good name against the attacks of those who sympathize with an unrighteous cause.

While these defamations of the Union soldiers still stand unrefuted in Congress, their honor undefended, those who have read the foregoing pages must have a thrill in their pride,

because: no matter what they might have wrought, and justified it by Confederate precept and example, the Union soldiers were never actuated by motives of hate or revenge, they never attacked the defenceless as the rebels did when they sacked and burned the fair town of Chambersburg, Pennsylvania, but, instead, were as gallant a body as ever fought to defend and preserve a country.

Since their valor is slighted and unrewarded by present-day Republicans, and since it is ignored when honors are bestowed, let us turn our attention to the records of the past for a few moments and see what they reveal of the valor of the Union soldiers.

We know that this valor was sufficient to conquer the defenders of "the stainless cause" and their peerless leader. But just what were these men? How were they valued when they wore the blue? Let us call four unimpeachable witnesses to testify for them: Generals George H. Thomas, William T. Sherman, George G. Meade, and Ulysses S. Grant, commanders all who led victorious armies: Meade at Gettysburg; Sherman on his march to the sea and through the Carolinas; Thomas at Stone River, Nashville, Chickamauga; and Grant at Appomattox.

General Thomas was presented with a medal on the second anniversary of the battle of Nashville. In the course of his modest speech of acceptance he said:³

While I cannot venture to speak of myself, without fear of being accused of egotism, I can, with pleasure, sincerity, and pride, speak of the brave soldiers and officers who, at the commencement of the late war, voluntarily came forth from the private walks of life, and devoted their lives to the defense of the Government established by our fathers.

It has been my pleasure, on all occasions, to witness the devotion of our army, and I, today, take pride in saying, that no other country on earth ever produced such another army as that which assembled to put down the rebellion.

Those Union soldiers who still survive, when they read the praise of this steadfast Virginian, who never sustained a

³ Van Horne's *Thomas*, p. 417.

defeat, must feel a thrill of pride that one so nobly endowed, so lofty in his patriotism, could give them this meed of recognition. Coming from such a source, it is a reward of patriotism.

General Sherman, in his farewell orders, on May 30, 1865, said to his victorious troops: ⁴

How far the operations of this army contributed to the final overthrow of the Confederacy and the peace which now dawns upon us, must be judged by others, not by us; but that you have done all that men could do has been admitted by those in authority, and we have a right to join in the universal joy that fills our land because the war is *over*, and our Government stands vindicated before the world by the joint action of the volunteer armies and navy of the United States. . . .

Your general now bids you farewell, with the full belief that, as in war you have been good soldiers, so in peace you will make good citizens; and if, unfortunately, new war should arise in our country, "Sherman's army" will be the first to buckle on its old armor, and come forth to defend and maintain the Government of our inheritance.

Words such as these from the commander who had tested their mettle are another reward of patriotism for those who broke the backbone of the Confederacy by their famous and unrivalled march.

General Meade, in his last orders to the Army of the Potomac, said, on June 28, 1865: ⁵

It is unnecessary to enumerate here all that has occurred in these two eventful years, from the grand and decisive battle of Gettysburg, the turning point of the war, to the surrender of the Army of Northern Virginia at Appomattox Court-House. Suffice it to say that history will do you justice, a grateful country will honor the living, cherish and support the disabled, and sincerely mourn the dead.

In parting from you your commanding general will ever bear in memory your noble devotion to your country, your patience and cheerfulness under all the privations and sacrifices you have been called on to endure.

⁴ *Memoirs*, Vol. II, p. 379.

⁵ O. R., Vol. 97, p. 1302.

Soldiers! having accomplished the work set before us, having vindicated the honor and integrity of our Government and flag, let us return thanks to Almighty God for His blessing in granting us victory and peace, and let us earnestly pray for strength and light to discharge our duties as citizens, as we have endeavored to discharge them as soldiers.

Of course, General Meade could not possibly foresee that a grateful Government would in the years to come honor the disloyal and reward their lack of patriotism; but the patriot can find a reward in this recognition of his valor and his loyalty.

General Grant, on June 2, 1865, issued the following:⁶

GENERAL ORDERS,
No. 108.

SOLDIERS OF THE ARMIES OF THE UNITED STATES:

By your patriotic devotion to your country in the hour of danger and alarm—your magnificent fighting, bravery, and endurance—you have maintained the supremacy of the Union and the Constitution, overthrown all armed opposition to the enforcement of the laws, and of the proclamation forever abolishing slavery—the cause and pretext of the rebellion—and opened the way to the rightful authorities to restore order and inaugurate peace on a permanent and enduring basis on every foot of American soil.

Your marches, sieges, and battles, in distance, duration, resolution, and brilliancy of result dim the luster of the world's past military achievements, and will be the patriot's precedent in defense of liberty and right in all time to come.

In obedience to your country's call you left your homes and families and volunteered in its defense. Victory has crowned your valor and secured the purpose of your patriot hearts, and with the gratitude of your countrymen, and the highest honors a great and free nation can accord, you will soon be permitted to return to your homes and families conscious of having discharged the highest duty of American citizens.

To achieve these glorious triumphs, and secure to yourselves, your fellow-countrymen, and posterity the blessings of free institutions tens of thousands of your gallant comrades have fallen and

⁶ O. R., Vol. 97, p. 1248.



U. A. Grant

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sealed the priceless legacy with their lives. The graves of these a grateful nation bedews with tears, honors their memories, and will ever cherish and support their stricken families.

U. S. GRANT,
Lieutenant-General.

All the laws passed which honor the Confederates, all the monuments carved to their memory, all the coins issued to finance such monuments, all that has been done, or may be done, to wrap a false halo around the Confederacy, cannot take away from the patriots, living and dead, the honor that is theirs for maintaining the Union; nor deny their right to these just tributes from the greatest of Union commanders.

It is a reward of patriotism for them to know that theirs was the valor which kept the Stars and Stripes undimmed and triumphant after four long years of war, and when they see this glorious emblem floating to the breeze, theirs is a just pride that this flag, standing for the highest hopes of human liberty, was theirs to preserve; and that God, Who doeth all things well, gave to them the victory to the end that liberty might, under government of the people, for the people, and by the people, belong to *all* the people under a Union which provided that no man's labor should be unrequited, and that justice should be for all.

If these rights and privileges are now denied to any citizen through the influence of any power, invisible or otherwise, shall we not, if we value the priceless heritage which the Union soldiers gave us of liberty and justice, reward their patriotism by overthrowing the baneful influences of this new enemy within our gates, as they overcame the enemy which sought to perpetuate within this Republic a new government whose cornerstone was human slavery?

Instead of defaming and discrediting the Union soldiers, or tolerating such acts, and permitting the aggrandizement of treason, should we not strive to keep untarnished the liberties which they gave to all Americans, regardless of race or creed, even if it should mean the establishment of a new political order, since those now in control have dishonored our patriots?

The Union soldier fought successfully to preserve the Union, and, in doing so, released a race from bondage; the Confederate soldier fought to disrupt the Union, in order that slavery might be extended and perpetuated.

The Union cause was brought to a victorious termination under the leadership of the first Republican President, Abraham Lincoln: yet, it is the Republican administration of Calvin Coolidge which has given the first official recognition to the slaveholders' Confederacy by the United States Government. This has not been done with either the sanction or the knowledge of the people. The truth, the facts, have been suppressed in those States where loyalty to the Union has always prevailed. The "invisible" influence has been potent to bring all this to pass.

But there is a power mightier than any party, stronger than any invisible empire: it is the influence of an enlightened people. Knowledge of the truth will free us again from the baleful influence of the Confederacy, still clutching at us from out the dead past.

We owe it to the Union soldiers that the future shall not judge us by the acts of the Coolidge Administration. It is not too late to repudiate any adherence to the principles upon which the Confederacy was founded; it is not too late to re-consecrate ourselves to the principles of Liberty and Justice.

Shall we give this reward to those defenders of the Union, the Army and Navy of the Civil War, "to whom, more than to others," Lincoln said, "the world must stand indebted for the home of freedom disenthralled, regenerated, enlarged, and perpetuated"? ⁷

⁷ O. R., Vol. 124, p. 1155.

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